

ALL WARDS**8.2 ROAD MANAGEMENT PLAN REVIEW 2017**

SUMMARY: *Acting Coordinator – Asset Strategy (Robin Cassidy)*

The Road Management Act (the Act) was introduced in 2004 as a means to ensure Road Authorities manage their road networks in a more proactive and responsible manner. Road Management Plans provide Road Authorities with a policy defence for the management practices of inspection, maintenance and repair of their road networks. Following the recent Council elections, the current Road Management Plan is required to be formally reviewed in accordance with the Road Management (General) Regulations (2016).

RECOMMENDATION

That Council

1. endorse the Road Management Plan Review Report shown as Appendix A to this report;
2. in accordance with Regulation 302(5) of the Road Management (General) Regulations (2016), make the Report available to the community by providing a copy on Council's website and at the Civic Centre; and
3. initiate the formal Road Management Plan Amendment process in accordance with the requirements of the Act during 2017/18.

1. INTRODUCTION

The Knox Road Management Plan (RMP) sets out Council's approach to the inspection, maintenance and repair of its public roads and road related assets. If complied with, the RMP provides Council with a policy defence against civil liability claims associated with management of the road network.

Under Section 39(4) of the Road Management Act (2004):

"A road authority is to be taken to have made a policy or policy decision relating to a road management function if the road authority has made a road management plan that includes provisions relating to the performance of that road management function."

The Knox Road Management Plan was initially developed in accordance with the Road Management Act (2004), supporting Regulations and Codes of Practice. It was reviewed in 2006, 2009, and 2013. Amendments occurred in 2006, 2010 and 2015.

8.2 Road Management Plan Review (cont'd)

The RMP is now subject to formal review in accordance with the Road Management (General) Regulations (2016). These Regulations require that the review be completed by 30 June 2017.

This report introduces the Knox City Council Road Management Plan Review as presented in Appendix A. If endorsed by Council, the review must be made publicly available as specified in the Road Management (General) Regulations (2016) – Part 3 Division 1 – (9.2): –

“After a road authority has completed a review of its road management plan, it must –

(a) produce a written report summarising the findings and conclusions of the review;

and

(b) make the report available for copying or inspection—

(i) at the place where the road management plan may be inspected or obtained in accordance with section 55(1)(b) of the Act; or

(ii) on an Internet site maintained by the road authority.

The amending of the Road Management Plan is a separate legislative process to the review, which is documented in the Road Management (General) Regulations (2016), and can occur at any time.

2. DISCUSSION

This review has aimed to assess the appropriateness, reasonableness and deliverability of Council’s current RMP through internal analysis and feedback.

The assessment of appropriateness and reasonableness was based on a review of:

- Road Management Plans made by neighbouring municipalities; and
- Customer satisfaction data.

The assessment of deliverability was based on:

- Inspection, maintenance and repair performance recorded in Council’s Work Order System (Lifecycle);
- Feedback from Council staff responsible for implementation of the Plan; and
- Recent audit report recommendations as reported by:
 - Council’s Sustainable Infrastructure Department;
 - MAV Insurance (Council’s insurer); and
 - DFK Kidsons (Council’s auditor).

8.2 Road Management Plan Review (cont'd)

The Road Management Plan Review proposes a small number of amendment recommendations for consideration prior to any amendments to the plan itself. These areas of focus include:

- That consideration be given to advice from external auditors when determining included service levels in future updates to the Road Management Plan, including;
 - Consideration of the hierarchy of a road when defining maintenance service standards and response times;
 - Consideration for removing and relocating non-road related asset inspections and maintenance activities from its RMP into other plans and strategies; and
 - Ensuring that Council achieve its stated minimum score for all RMP inspection and repair response times prior to considering modifying its standards.

Amending the Road Management Plan is a separate regulatory process which is defined by regulations 303 and 304. Notification of agreed amendments must be in accordance with regulation 303 and include gazettal and a 28 day consultation period. The regulations do not specify the timing for implementation of amendments. It is recommended, however, that Council implement the proposed amendments during 2017/18. It is noted that the amendment process incorporates the opportunity for public submissions in accordance with the requirements of the Act.

Council's current Road Management Plan will remain as Council's reference document until such time as any amendments are formally endorsed by Council.

3. CONSULTATION

Internal consultation was also undertaken by means of an internal RMP Reference Group, which considered and provided feedback on a number of issues raised in this review. The report on the findings and conclusions of the review must be made publicly available as defined in the Road Management (General) Regulations (2016).

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with the Road Management Plan Review.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Any work required to implement proposed amendments or any implications from potential amendments to maintenance service standards will be absorbed in existing operational budgets (Sustainable Infrastructure and Operations Departments).

8.2 Road Management Plan Review (cont'd)

A robust, reasonable and ultimately deliverable Road Management Plan provides Council with a policy defence against civil liability claims associated with the management of its road network. This has significant implications in reducing Council's risk and financial exposure as well as building a strong case for reduced insurance premiums.

6. SOCIAL IMPLICATIONS

The road network has an impact on all community groups by providing connectivity across the municipality, as well as by providing economic benefits. The Road Management Plan documents how Council's roads are managed and to what service standards – it is imperative it is reviewed, updated and amended regularly to reflect current community expectations and Council's available resources. The legislated review recognises the importance of the community's input by seeking to create an opportunity for residents to inform Council of their expectations.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The Road Management Plan Review has relevance to three themes of the Council Plan.

Dynamic Services & Facilities

“To continually improve the capacity of Council's services and infrastructure to best meet the community's needs.”

Accessible Transport Choices

“To provide real travel choice and reduce inequalities in access to transport opportunities in Knox by advocating for and facilitating improvements in transport infrastructure and services.

A Well Governed & Leading Organisation

“To ensure the highest standards and transparency of our governance practices and the capability of our organisation, and to improve the condition and suitability of the municipality's assets.”

The undertaking of this review has demonstrated that Council has met its statutory obligations and has acted as a responsible steward of community assets. The review ensures that roads and related infrastructure continue to be managed in a manner that mitigates public safety risks in the most financially sustainable fashion. The public consultation process for this review has provided an opportunity for the community to determine the most appropriate way to manage the municipality's road network.

8.2 Road Management Plan Review (cont'd)

8. CONCLUSION

The review of the Road Management Plan is designed to fulfil three principal objectives. The first is to ensure that Council (as a Road Authority) is constantly monitoring the appropriateness of its Road Management Plan. The second is to provide a forum for all new Councillors to become informed as to the importance of having a robust and relevant Road Management Plan. Finally, the review provides the community with an opportunity to comment on the reasonableness of the current Plan.

As noted previously, the review of the Road Management Plan was legislated to commence by 1 January and is to be completed no later than 30 June 2017. The purpose of the review is not to introduce amendments to the existing Plan but to examine the appropriateness of the current Plan in the way it manages risk prioritisation, inspection frequencies, intervention levels, response times and maintenance and repair standards of road based infrastructure.

The review has recommended that amendments to the current RMP occur as a separate process during 2017/18.

This Road Management Plan Review has enabled Council to meet its statutory requirements under the Road Management Act (2004) and ensure that Council has provided every opportunity for the community to have input into the way the Knox road network is managed.

9. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. HOLLAND

That Council

- 1. endorse the Road Management Plan Review Report shown as Appendix A to this report;**
- 2. in accordance with Regulation 302(5) of the Road Management (General) Regulations (2016), make the Report available to the community by providing a copy on Council's website and at the Civic Centre; and**
- 3. initiate the formal Road Management Plan Amendment process in accordance with the requirements of the Act during 2017/18.**

CARRIED

APPENDIX A

KNOX CITY COUNCIL**ROAD MANAGEMENT PLAN
REVIEW**

2017

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Official Minutes of Knox City Council

1. BACKGROUND

1.1. INTRODUCTION

The Knox Road Management Plan (RMP) was developed to document Council's approach to the management of public roads within the municipality. If complied with, the RMP provides Council with a policy defence against civil liability claims associated with management of the road network.

The RMP was developed in accordance with the Road Management Act (2004), supporting regulations and codes of practice. The RMP is now subject to formal review in accordance with the Road Management (General) Regulations 2016. This latest review is the fourth with prior reviews being undertaken in 2006, 2009 and 2013. The RMP has been amended twice in 2010 and 2015. This report summarises the review process and findings. Although the review process has not identified specific and immediate changes to the standards and priorities for inspection and maintenance activities it does recommend that council initiate projects to inform the next cyclic amendment of its RMP in accordance with the process detailed in Section 5.2.

1.2. PURPOSE OF A ROAD MANAGEMENT PLAN

Section 50 of the Road Management Act (2004) states that the purposes of a Road Management Plan are:

- a. to establish a management system for the road management functions of a road authority which is based on policy and operational objectives and available resources; and
- b. to set the relevant standard in relation to the discharge of duties in the performance of those road management functions

General functions of a road authority are set out in section 34 of the Act and are reproduced below:

- (1) A road authority has the following general functions —
 - a. to provide and maintain, as part of a network of roads, roads for use by the community served by the road authority;
 - b. to manage the use of roads having regard to the principle that the primary purpose of a road is to be used by members of the public and that other uses are to be managed in a manner which minimises any adverse effect on the safe and efficient operation of the road and on the environment;
 - c. to manage traffic on roads in a manner that enhances the safe and efficient operation of roads;
 - (ca) to design, construct, inspect, repair and maintain roads and road infrastructure;
 - d. to coordinate the installation of infrastructure on roads and the conduct of other works in such a way as to minimise, as far as is reasonably practicable, adverse impacts on the provision of utility or public transport services;
 - e. to undertake works and activities which promote the functions referred to in paragraphs (a), (b), (c) and (ca) and to undertake activities which promote the function in paragraph (d).
- (2) The general functions conferred on a road authority under subsection (1) are not to be construed as limiting any other functions conferred on a road authority by or under this Act or any other Act.
- (3) In seeking to achieve its functions, a road authority should —
 - a. consult with the community and disseminate information in relation to the exercise of those functions;
 - b. take steps as are reasonably practicable to ensure the structural integrity and safety of public roads in accordance with this Act.

In essence, a Road Management Plan provides a number of benefits to Council including, but not limited to:

- Proactive management of road and road-related assets (asset management);
- Minimisation of public safety risk;
- Greater transparency in processes;
- Improved auditability of performance;
- Reduced insurance premiums; and
- A policy defence against civil liability claims.

2. DEFINING THE SCOPE OF THIS REVIEW

Road Management (General) Regulations 2016, Part 3 Division 1(9) states that:

In conducting a review of its road management plan, a road authority must ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and classes of roads to which the plan relates are **appropriate**.

Similar to the Review undertaken in 2013, this Review takes a fresh look at all aspects of the current RMP and assesses whether each aspect remains appropriate, deliverable and reasonable. Each Chapter and Attachment has been assessed.

The assessment has considered changes to the Road Management Act and other relevant regulation and codes of practice enacted since the time of the last Review in 2013.

Assessment of *reasonableness* was based on a review of:

- Road Management Plans made by neighbouring municipalities
- Customer satisfaction data and feedback from the Knox community

Assessment of *deliverability* was based on:

- Inspection, maintenance and repair performance recorded in Council's Work Order System (Lifecycle) during the period January 2015 to December 2016 (extended to January 2013 to December 2016 for inspections only);
- Feedback from Council staff responsible for implementation of the Plan; and
- Recent audit report recommendations as reported by:
 - Council's Sustainable Infrastructure Department
 - MAV Insurance (Council's insurer)
 - DFK Kidsons (Council's auditor)

Council's Instrument of Delegation, road and path hierarchies, demarcation agreements and recommendations from relevant plans and strategies were also reviewed.

In addition to meeting the legislated review requirements, the review process has been used to recommend work practice improvements to improve ongoing compliance with the RMP.

Where evidence suggests aspects of the RMP are unrealistic or unachievable, changes to the RMP have been recommended. Care has been taken to ensure all proposed changes have a rational or plausible basis and are not unduly liberal so that the "policy defence" remains available.

3. ASSESSMENT OF REASONABLENESS AND DELIVERABILITY

3.1. LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY

Council participates in the annual Local Government Community Satisfaction Survey (LGCSS) which is coordinated by the Department of Environment, Land, Water and Planning. The LGCSS provides Council with feedback on community satisfaction each year. Council performance is benchmarked against the performance of 77 other Victorian Councils. Although the survey is pitched at a relatively high level, it does provide Local Government with information about how its performance is rated over time by the communities they represent.

The only survey question relative to the RMP Review is that of “How has Council performed on the ‘condition of sealed local roads in your area’ over the last 12 months”. The question was introduced in the 2014 survey. Council’s scores against Metropolitan ‘Metro’ and State averages are displayed in Figure 1. The results identify that the scores for Knox have been favourable in comparison to the metro and state benchmarks for the past three years.

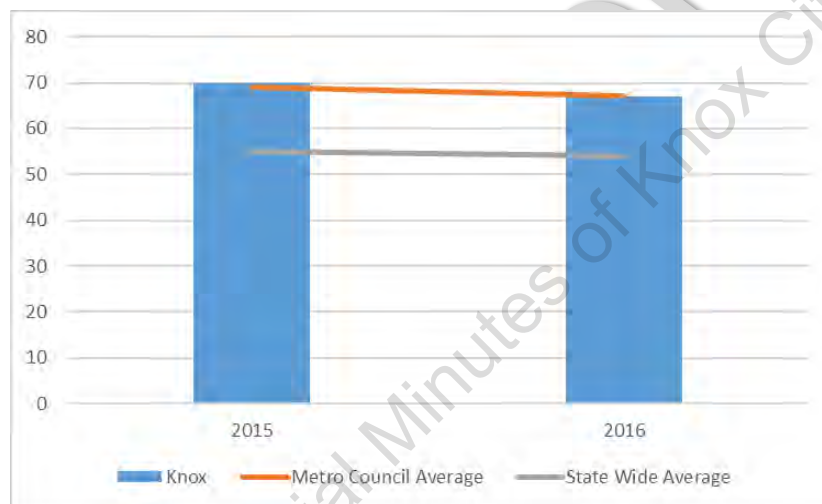


Figure 1 – Local Government Community Satisfaction Survey – Performance on the condition of sealed local roads

3.2. LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK

Council participates in the annual Local Government Performance Reporting Framework (LGPRF) which is coordinated by the Department of Transport, Planning and Local Infrastructure (DTPLI). The framework ensures that all councils are measuring and reporting on their performance in a consistent manner. The LGPRF was introduced in 2012 with mandatory reporting commencing 1 July 2014. Two indicators contained within the LGPRF are relevant to the RMP Review:

- a. **MEASURE 14 – SEALED LOCAL REQUESTS PER 100KM OF SEALED LOCAL ROADS.**

The rationale for Measure 14 is that it indicates road user's satisfaction with the sealed local road network. A low value indicates few customer requests, which generally suggests that local roads are maintained to an acceptable standard. Council clarifies its definition of the source data as *"including all requests received from external customers (via customer service requests or after hour requests) that relate to the quality of sealed road surfaces and kerb and channel"*. Customer requests are counted regardless of whether a maintenance activity is required to be undertaken in accordance with Council's service level. Figure 2 compares Council's scores for the financial year 2014-15 and the financial year 2015-16 against benchmark averages for 'similar' councils and 'all councils' which are provided by DTPLI. The results indicate that Council receives fewer sealed local road requests per 100km of sealed roads than the two benchmarks.



Figure 2 – LGPRF – Sealed local road requests per 100km of sealed road

b. MEASURE 15 – SEALED LOCAL ROADS MAINTAINED ADEQUATELY

Measure 15 is an indicator of the broad objective that sealed local roads should be maintained at the adopted condition standard. A high or increasing proportion of sealed local roads at the adopted condition suggests an improvement in the quality of the sealed local road network. Council clarifies the definition of its source data by saying *"Council has a relatively high and consistent service standard for the resealing of its roads, and is progressively addressing the backlog of roads requiring renewal. External audits undertaken every four years of the whole road network enabled Council to measure its progress"*. Figure 3 compares Council's scores for the financial year 2014-15 and the financial year 2015-16 against benchmark averages for 'similar' councils and 'all councils' which are provided by DTPLI. The results indicate that Council maintains its roads to a condition in accordance with the two benchmarks

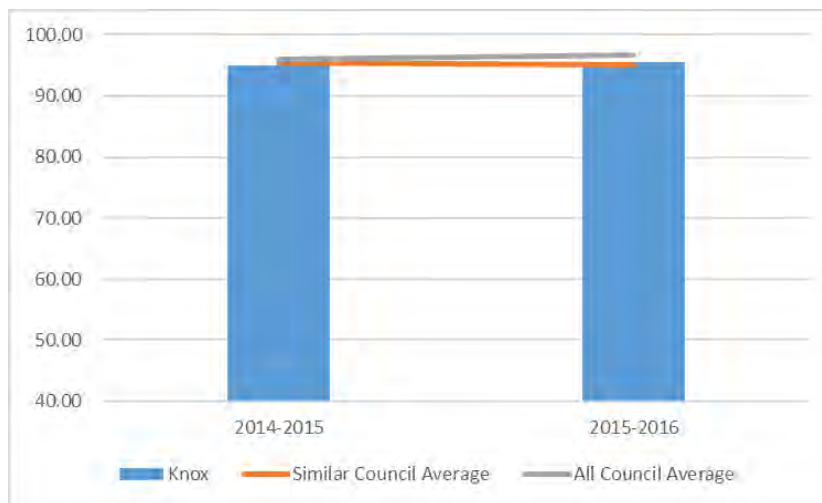


Figure 3 – LGPRF – Sealed local roads maintained adequately

3.3. WORK ORDER SYSTEM - CUSTOMER REQUESTS.

Further to the LGCSS and LGPRF results, which focus on the Road Surface asset class, Council has also analysed its Works Order System (WOS) 'Lifecycle' to obtain the quantity of customer requests for all asset classes listed within its RMP. The analysis compared the quantity of customer requests raised during the current review period (2013-2016) to the quantity of customer requests raised during the previous RMP review period (2009-2012). Of the thirteen asset classes reported, eight reported a decrease in the quantity of customer requests raised during the current review period. A decreasing quantity generally suggests that customer satisfaction is improving. Of the remaining five asset classes, which identified an increase in the quantity of customer requests, four asset classes were excluded from a more detailed investigation due to relatively low counts (< 205) of customer requests, or a minimal percentage variation between the two review periods (+/- 4%) results. The analysis then drilled down on the final asset class 'Road Surface' to identify maintenance activities, which may have contributed to the increase in the quantity of customer requests. The result highlighted "litter clearing / dumped rubbish" as the most likely key contributor. Operational staff were then consulted to identify potential causes and resolutions for this variation. Although this investigation has produced results explicitly for the RMP review, Council continuously monitors its customer request performance and investigates root causes of issues which ultimately result in improved processes.

The RMP Review Reference Group recommendation is that the overall result of this analysis is further evidence that the RMP is satisfying community expectations of reasonableness and deliverability.

3.4. ROAD MANAGEMENT PLANS OF NEIGHBOURING COUNCILS

Council has reviewed its RMP service levels (i.e. maintenance intervention levels, maintenance response times, hazard inspection frequencies) against similar and neighbouring Councils:

- Maroondah City Council
- Monash City Council
- Casey City Council
- Frankston City Council
- Yarra Ranges Shire Council
- Kingston City Council
- VicRoads

Only the top twelve RMP maintenance activities, having the largest quantities of customer requests, equating to 85% of the total quantity of customer requests raised during the current RMP review period (2013-2016), were chosen for comparison.

The RMP Review Reference Group quickly identified that neighbouring councils and VicRoads approaches in setting rectification times and service level standards differ. Table 1 provides one example. Council applies its RMP rectification time targets at maintenance activity level using a “one-size fits all approach” based on its lowest hierarchy of asset class. Some neighbouring councils apply their rectification time targets by maintenance activity for each hierarchy of asset class. For the example provided, Knox’s rectification response would be considered more responsive than the other two councils listed.

Council	Asset Class	Activity Code	Maintenance Activity	Description	Rectify Time (in days)
Knox	ROAD SURFACE	RS-REA-002	Pothole Repair/Minor Patching	Provide temporary and/or permanent repair when potholes between 25 and 50mm in depth and/or >300mm in diameter, or considered likely to deteriorate to this extent prior to next routine hazard inspection. Potholes > 500mm diameter or distressed area >1m2	32
Council 2				Any pothole with depth ≥100mm and/or ≥300mm or equivalent lateral dimension.	20 (collector) 40 (local)
Council 3				Pothole depth > 50 mm; and Pothole diameter > 300 mm	5 (Trunk) 15 (Collector) 45 (Access) 45 (Access place) 45 (Access lane) 45 (Ancillary area)

Table 1 – Rectification time - Comparison

As a result of neighbouring councils and VicRoads different approaches, the comparison of some maintenance activities became technically complex and in some instances unattainable. Council's insurer during its *Roads, Footpaths, Pathways and Trees Management Compliance Review* completed in 2015 has recommended "*that Council consider adopting a system that ensures defects identified on roads/footpaths/pathways that are of a higher category within the RMP hierarchy are required to be repaired quicker than those in a lower categories*". Council will consider this recommendation and investigate its scope in respect of determining which maintenance activities to target prior to the next amendment of its RMP.

Three of the twelve maintenance activities being compared were found to have no matching activity within neighbouring councils and VicRoads RMP's. This difference is also the subject of a recommendation identified by Council's insurer during its *Roads, Footpaths, Pathways and Trees Management Compliance Review* completed in 2015 which is detailed in section 3.6. Council's insurer recommends the removal and relocation of non-road related asset maintenance activities and inspections from the RMP into other Council asset management plans and strategies to ensure service levels are maintained. The comparison exercise identified that this is the position taken by other road authorities. The review reference group identified:

1. That further discussions with Council's insurer would need to be held to identify the scope of changes.
2. That any potential relocation of inspection and maintenance activity service levels into Asset Management Plan's would occur as plans were reviewed.
3. That performance reporting of service levels for effected inspections and activities would need to continue.

Another factor considered by the review reference group is Council's initial assessment process of customer requests which initiates and accelerates a temporary rectification when a risk to the public is identified as Extreme or High. Council's processes ensure that temporary works occur promptly, within 1 or 5 days in the case of Extreme or High risks respectively. This practice offsets the potential risks associated with Council's longer rectification timeframes.

The comparison exercise outcomes generally indicate that Council's maintenance activity rectification times are reasonable compared to those of its neighbouring councils and VicRoads. In some instances, Knox documents a relatively high level of service (e.g. more responsive rectification times), but for the most part its rectification times sit around the average.

The RMP Review Reference Group recommendation is that based on the comparison of Council's Road Management Plan with neighbouring councils and VicRoads, there is nothing to suggest Knox City Council, on the whole, needs to make changes to its inspection or maintenance service levels. However the comparison has highlighted that differences exist within road authorities RMP content and suggests that Council initiate a process to consider the recommendations of its external auditors prior to the next RMP amendment.

3.5. ROAD AND PATH HIERARCHIES

Table 2 lists roads that have changed hierarchy since 2013. Aside from those changes listed only new roads and paths have been added to Council's Public Road Register and asset register.

GIS Key	Road Name	Suburb	From:	To:	Road Hierarchy	
					Previous	Current
37080/2	Railway Rd	Ferntree Gully	Stringybark Rd	Quarry Rd	Unsealed Road	Access Road
60010/2	Quarry Rd	Ferntree Gully	End Seal	Railway Rd	Unsealed Road	Access Road

Table 2 – Road and Path Hierarchies - changes

3.6. RECOMMENDATIONS FROM INTERNAL/EXTERNAL AUDITS

Since the inception of the Road Management Plan in 2005, Council has undertaken a number of internal and external audits to assess RMP compliance. This section summarises the relevant audits since the last RMP Review and presents key findings.

a. EXTERNAL AUDITS

Council's RMP is regularly audited by two independent organisations. MAV Insurance, as Council's insurer, undertakes a regular audit to ensure risk mitigation systems are in place and are appropriately activated. The other external audit was completed by DFK Kidsons which, as Council appointed auditor, reports to the Internal Audit Committee regarding asset management in general.

3.6.a.1. MAV – LIABILITY MUTUAL INSURANCE – JUNE 2015

MAV Insurance, as Council's insurer, has a vested interest in Council's compliance with the RMP. The value of Council's premiums is tied to its ability to demonstrate its adherence to the RMP which in turn reflects its ability to manage risk associated with being an asset owner. In the past, MAV Insurance has undertaken an audit on an annual basis to assess Council's performance in fulfilling its RMP obligations, hence providing a policy defence in the event of a claim. The frequency of these audits has now been extended to a two yearly frequency. The relevant aspects of the MAV Insurance audit consider road, footpath, shared path and street tree assets. The audit assesses compliance with inspection frequencies and repair completion dates. The accuracy of recorded details and the traceability of the maintenance documentation is also considered.

Since the last amendment of the RMP in February 2015, MAV Insurance has undertaken one Liability Mutual Insurance LMI audit (19 June 2015) – *Roads, Footpaths, Pathways and Trees Management Compliance Review*

The LMI review outcome conclude that Council achieves a high level of compliance with its RMP. A small number of improvement recommendations were identified. These included:

1. That Council consider the removal of the inspection frequencies and maintenance activities for non-road related assets from its RMP. Interestingly, this recommendation is supported by the findings of Council's RMP comparison exercise with other councils, discussed in Section 3.4, which resulted in no matches being found for some of Council's roadside vegetation activities.
2. That Council consider adopting a system that ensures defects identified on roads/footpaths/pathways that are of a higher category within the RMP hierarchy are required to be repaired quicker than those in lower categories. The review reference group considers this recommendation has merit in respect of reducing the risk to road users on more heavily trafficked roads and pathways for some RMP maintenance activities. However, the process and system changes to implement this recommendation will be need to be further investigated.
3. That Council replace the variety of measurement devices being used to measure defects with one standard tool. Council has addressed this recommendation and hazard inspectors now utilise a graduated measuring card.

The RMP Review Reference Group recommendation is that Council complete a project to consider the recommendations of its external auditors for inclusion in the next amendment to its RMP.

3.6.a.2. DFK KIDSONS – APRIL 2015

In April 2015, Council's external auditors DFK Kidsons completed a *Review of Asset Management* for Knox City Council. Unlike previous reviews, the 2015 review did not specifically audit Council's compliance to its RMP however it did include an assessment of Work Order response times. The review concluded that "*Results from the Works Order System can be used as a guide to assessing whether condition targets for infrastructure are being maintained. The Works Order System response times have improved since our previous audit in 2011. Knox is meeting or exceeding its internal benchmark of 90% across the three categories of: Initial response timeframes; temporary works timeframes; and rectification works for infrastructure assets*".

b. INTERNAL AUDITS

In order to demonstrate that Council has some self-regulating processes in place, it was determined that an independent internal audit be completed on an annual basis to monitor Council's compliance to the RMP. These audits commenced in 2007 and have been undertaken by the Sustainable Infrastructure Department. The format of the audit is in accordance with the MAV Insurance procedure and documentation. The audits consisted of a desktop assessment of randomly selected works orders which were assessed against the requirements of the RMP. The scope also included a field audit. The desktop audit assessed whether randomly selected works orders had been responded to in accordance with the RMP. Delivery of rectification and temporary works timelines was assessed. The accuracy of data recorded was reviewed and traceability of maintenance documentation was assessed. The purpose of the field audit was intended to determine whether hazard inspectors were correctly identifying defects in accordance with the RMP. Table 3 details the results of audits completed during the RMP Review period of 2013 until 2016.

Asset Class	2013	2014	2015	2016
Roads	100%	95%	100%	92%
Footpaths	90%	100%	95%	100%
Shared Path	100%	80%	92%	92%
Street Trees	86%	100%	80%	96%
Average	94%	94%	92%	95%

Table 3 – Internal Audit – Annual scores

The scores generally indicate a reasonable and satisfactory level of internal audit compliance with Council's RMP. Although individual asset class scores have varied across the four year period, the overall average shows a slight upwards trend. Council's stated objective however is to achieve a score of 100% across all asset classes. With this objective in mind, Council investigates every audit non-conformance to identify its root causes and instigate process improvement. During the period 2013 until 2016 nineteen improvement notices have been raised for action.

The RMP Review Reference Group recommendation is that Council need consistently achieve its RMP compliance objective across all asset classes prior to considering changing inspection and rectification times for maintenance activities.

3.7. RECOMMENDATIONS FROM STRATEGIES/PLANS

Since the adoption of the current RMP, a number of strategies or plans have been completed by Council. The following recommendations have been considered as part of this review.

Plan/Strategy	Recommendation	Outcome
Footpath and Shared Path Asset Management Plan	Levels of Service Consultation Undertake community survey/forum around proposed levels of service seeking feedback and agreement.	If required, Council will amend RMP service levels for Footpaths and Shared Paths
Footpath and Shared Path Asset Management Plan	Customer Satisfaction Survey Undertake a customer survey either sent out with the annual customer satisfaction survey, or with a specific asset satisfaction survey, to measure customer satisfaction in relation to delivery of the proposed levels of service	If required, Council will amend RMP service levels for Footpaths and Shared Paths
Knox Integrated Transport Plan 2015 - 2025	Develop a public transport priority network for Knox and advocate for improvements based on this plan.	If required, Council will amend asset class hierarchies for affected roads
Knox Integrated Transport Plan 2015 - 2025	Undertake maintenance and serviceability audits of footpath and shared paths (particularly around schools, business parks, commercial areas)	Council will consider the results of these audits as future indicators of community satisfaction.

Table 4 – Recommendations from strategies and plans

3.8. INSTRUMENT OF DELEGATION

The Instrument of Delegation is a vehicle for Council to delegate authority to Officers to undertake legislated routine and administrative tasks or responsibilities on its behalf. The Road Management (General) Regulations do not explicitly require a road authority to assess its Instrument of Delegation as part of the formal Road Management Plan Review. However, as it is a critical tool for implementing the Road Management Plan, it was included as part of this review process.

Section 98(6) of the Local Government Act 1989 states that within 12 months of a general Council election all instruments of delegation must be reviewed and presented to Council for endorsement. Council engages Maddocks Lawyers to assist in this process. The Instrument of Delegation for Road Management Responsibilities will be updated and submitted for Council endorsement later in 2017.

Aside from updating of titles to reflect Council's recent organisation restructure, no further adjustments to the existing Instrument of Delegation have been nominated by staff during this RMP Review. Once the revised Instrument of Delegation is endorsed by Council, it will be incorporated within the latest version of the Road Management Plan.

3.9. DEMARCATION RESPONSIBILITIES

During the review period only one neighbouring council has requested an update of its border demarcation agreement. The agreed revision has no direct impact in respect to Council's RMP inspection and repair standards.

No other demarcation agreements have been identified as needing an update.

3.10. PERFORMANCE ANALYSIS

Given Council's duty to inspect, maintain and repair its public roads to the standards specified in its Road Management Plan, the Work Order System WOS (described in Attachment 9 of the RMP), was developed. This system was intended to assist service delivery whilst providing evidence of inspections, maintenance and repair required for Council to be able to easily demonstrate compliance with the RMP and an appropriate duty of care.

This section of the report summarises WOS performance data collected:

- Inspection performance data includes all transactions within the period 1 January 2013 until 31 December 2016.
- Rectification time performance data includes all transactions within the period 1 January 2015 until 31 December 2016.

These periods allow comparisons to be undertaken with results from the previous RMP Review completed in 2013.

In order for the RMP to provide a reliable policy defence, it is important that Council is able to demonstrate compliance with the policy defined in the RMP (it should be noted that Council introduced a 10% margin in the 2010 RMP update). Non-conformance may occur due to a number of factors including but not limited to:

- Emergency situations (including storms, fires, floods)
- Resource and funding shortages
- Delays due to staffing issues (sick leave, ageing workforce, staff shortages, secondments, higher duties)
- Supplier delays
- Inadequate training
- Incorrect recording/documentation or use of existing processes
- Inadequate performance monitoring
- Unexpected volume of defects
- Availability of plant or contractors

a. ROUTINE HAZARD INSPECTIONS

Routine hazard inspections have been recorded in Council's Work Order System using PDAs and Ipads. The hazard inspection frequencies are outlined in Attachment 4 of the RMP. As documented in this same attachment, Council officers have developed a schedule of hazard inspections which groups inspection zones into two month blocks. For example, assets within inspection zone 13A will be inspected sometime within the period 1st May until 30th June. This effectively creates a two month grace period beyond the hazard inspection frequency defined in the RMP. If an asset is inspected on 1st May one year and 30th June the following year, it is deemed to have complied with the RMP. From an analysis perspective, this means adding two months buffer to the inspection dates to account for assets which may have been inspected early in the two month window in the first inspection, and late in the two month window in the second inspection.

The analysis of inspection data returned an average of **97%** indicating that most inspections are completed in accordance with the RMP frequencies. This result is a 2% improvement over the 95% reported during the 2013 RMP review. Drilling down to individual groupings of asset class and hierarchy, the results identify that seven of the seventeen groupings achieved 100% compliance and that fifteen of the seventeen groupings scored equal to or above 90%. Comparing the results of this review to the previous review identified that seven groupings have improved by 2% or more.

The groupings with a lower than 90% performance (which ultimately negatively affect the average results) are identified below.

- Roadside Vegetation (Collector roads) achieved a result of 87%.
- Drainage (Link roads) achieved a result of 89%.

The RMP review reference group was unable to identify any specific cause for these two irregularities and noted that these non-road related assets are included for consideration for removal from the RMP as discussed in section 3.2.

b. REACTIVE MAINTENANCE – INITIAL RESPONSE

Initial response timeframes are only applicable when a request is received from a customer. It is the time available to assess the issue raised and to determine what, if any, work is required. The timeframes set out in the RMP range from 1 to 10 days (with most being 3 days) and were based on a desktop risk assessment of the public safety risk associated with not undertaking a specific maintenance task. The purpose of this initial response risk assessment is to enable supervisors to assess requests received and prioritise reactive works based on risk (or alternatively deem the issue not to meet intervention levels).

An analysis was undertaken of work orders requiring initial assessments completed during the period 1 January 2015 until 31 December 2016 (2 years) across sixty maintenance activities defined within Councils RMP. The two year period enables a comparison with the results of the analysis undertaken for the previous RMP review in 2013.

In summary, the results identify that Council completed an average of **95%** of initial assessments in accordance with the RMP timelines during this period. This is considered to be a very good result and represents a 9% improvement since the previous audit in 2013.

The analysis drilled down to evaluate Council's performance across each of the sixty individual maintenance activities and provided the following results:

- Nineteen maintenance activities (or 32%) achieved a 100% result.
- Forty-one maintenance activities (or 68%) achieved a result of 90% or greater.
- Nineteen maintenance activities (or 32%) achieved a result less than 90%.

In comparison to the previous 2013 RMP review results for initial inspection performance:

- Twenty-six maintenance activity results had improved.
- Sixteen maintenance activity results had declined.
- Eighteen maintenance activity results had not changed.

Council's RMP objective is to resolve 90% of issues within the target timeframe specified for the relative activity (section 3.10). The analysis of initial responses targets has identified that in the majority of instances Council is meeting or exceeding its stated objective but that further improvement is required to have all activities achieve the objective. Each activity that has not achieved the minimum 90% compliance will be investigated to identify any underlying causes and, where appropriate, current work practices will be modified to achieve a better result. The reference group noted that the list of maintenance activities may be effected should Council decide to remove and relocate non-road related asset maintenance activities from its RMP.

C. REACTIVE MAINTENANCE – TEMPORARY WORKS

Temporary works are only required to address issues assessed as Extreme or High risk. The target timeframes for temporary works are 1 and 5 working days respectively. Only a small number of issues generally require temporary works.

An analysis was undertaken of all work orders requiring temporary works completed during the period 1 January 2015 until 31 December 2016 (2 years). Only maintenance activities defined within Council's RMP were included. The two year period enables a comparison with the results of the analysis undertaken for the previous RMP review in 2013. The results identify that fifty-one individual maintenance activities are included.

In summary the results identify that Council completed an average of **97%** of temporary works in accordance with the RMP timelines during this period. This is a very good result and represents a 2% improvement since the previous audit in 2013.

The analysis drilled down to evaluate Council's performance across each of the fifty-one individual maintenance activities and provided the following results:

- Thirty-six maintenance activities (or 71%) achieved a 100% result.
- Forty-five maintenance activities (or 88%) achieved a result of 90% or greater.
- Six maintenance activities (or 12%) achieved a result less than 90%.

In comparison to the previous 2013 RMP review results for initial inspection performance:

- Sixteen maintenance activity results had improved.
- Eight maintenance activity results had declined.
- Twenty-two maintenance activity results had not changed.
- Five maintenance activity results had no comparative result to be measured against.

Although these statistics identify Council is performing very well, its RMP stated objective is to achieve a result of 90% or more compliance across all RMP defined activities. It is critical that all Extreme and High risk issues are made safe within the target times. To achieve this goal further improvement is required and the analysis has highlighted a list of maintenance activities to focus on. Each activity will be investigated to identify any underlying causes and where appropriate current work practices will be modified to achieve a better result. The reference group noted that the list of maintenance activities may be affected should Council decide to remove and relocate non-road related asset maintenance activities from its RMP.

d. REACTIVE MAINTENANCE – RECTIFICATION WORKS

The rectification timeframes currently documented in the RMP were established following extensive consultation with Operations Centre staff at the time of each RMP Review. The objective was to set targets that were both reasonable and deliverable.

An analysis was undertaken of work orders requiring rectification works completed during the period 1 January 2015 until 31 December 2016 (2 years). Only maintenance activities defined within Council's RMP were included. The two year period enables a comparison with the results of the analysis undertaken for the previous RMP review in 2013. The results identify that fifty-nine individual maintenance activities were included.

In summary the results identify that Council completed an average of **96%** of rectification works in accordance with the RMP timelines during this period. Overall this is a very good result and represents a 5% improvement on the previous RMP Review analysis.

The analysis drilled down to evaluate Council's performance across each of the fifty-nine individual maintenance activities and provided the following results:

- Sixteen maintenance activities (or 27%) achieved a 100% result.
- Thirty-one maintenance activities (or 53%) achieved a result of 90% or greater.
- Twenty-eight maintenance activities (or 47%) achieved the result less than 90%.
- Forty-Four maintenance activities (or 86%) achieved a result of 80% or greater.

In comparison to the previous 2013 RMP review results for rectification works performance:

- Twenty-five maintenance activity results had improved.
- Seventeen activity results had declined.
- Twelve maintenance activity results had not changed.
- Five activity results had no comparative result to be measured against.

When using total work order counts as the basis for performance evaluation, it appears that Council is performing very well. However, when drilling down to individual activities the results identify that improvement is necessary for Council to achieve its stated objective to achieve a minimum result of 90% compliance across all RMP defined activities. It was noted that of the twenty-eight activities failing to meet the 90% compliance objective, fifteen recorded small counts of work orders which resulted in distorted results. The analysis has highlighted a list of maintenance activities to focus on. Each activity will be investigated to identify any underlying causes and where appropriate, current work practices will be modified to achieve a better result. The reference group noted that the list of maintenance activities may be affected should Council decide to remove and relocate non-road related asset maintenance activities from its RMP.

e. ROUTINE MAINTENANCE

Council does not systematically record delivery of all routine maintenance activities in the Work Order System. Multiple paper based systems and Microsoft Excel spreadsheets are used, which is difficult to audit. As a result, overall compliance with the routine maintenance frequencies defined in the RMP has not been assessed. Council has recently initiated system developments to address this gap. Initially the functionality will be delivered to internal Parks staff however in time the objective will be to rollout this functionality to Councils contractors undertaking routine maintenance. Until routine maintenance data has been consistently collected over a reasonable period, it is recommended that routine maintenance service levels specified in the RMP remain unchanged.

f. PERFORMANCE SUMMARY

With respect to performance against the RMP service levels, it is clear that Council should not simply alter service levels or extend the timeframes to improve compliance. Instead the root cause of non-compliances should be addressed. In the limited instances noted, improvements can largely be achieved through:

- Investigating resource availability and work practices to address issues
- Providing additional training and increasing frequency of refresher courses
- Enhancing maintenance system and reporting capabilities (particularly the ability for performance reports to recognise when an “emergency” has occurred)
- Introducing more regular monitoring and associated performance management measures
- Investigating alternative processes and/or delivery methods

The RMP Review Reference Group recommendation is that Council must achieve its stated minimum score for all RMP inspection and repair response times prior to considering modifying its standards. Council’s consideration in respect of removing and relocating non-road related asset inspections and maintenance activities from its RMP into other plans and strategies will impact the results of future analysis of inspection and works order performance.

3.11. FEEDBACK FROM STAFF RESPONSIBLE FOR RMP IMPLEMENTATION

To support this Review, a Reference Group was established, with representation from Council departments that play an active role in the delivery of the Road Management Plan. The Group was asked to provide feedback on the current Plan and recommend any amendments. The following summarises this feedback:

- Council’s Parks Services contractor’s computer system upgrades may have adversely impacted data collection for a short period of time during the review period for some Roadside Vegetation activities resulting in a lower performance result than expected. Council considers that any systematic issues have been resolved and will monitor ongoing data delivery.
- Council should consider the recommendation of its insurer to remove and relocate non-road related asset activities and inspections from its RMP to other plans and strategies without impacting identified service levels.
- Council should consider the removal of Attachment 2 - Public Road Register from its RMP. The cyclical update of Council’s RMP results in the register being outdated quickly. However Council’s Public Road Register must continue to be managed in accordance with the Road Management Act – 2004 – Section 19.
- Council should ensure activity service level descriptions are clear, unambiguous

- and accurate and resolve any inconsistencies.

4. SUMMARY OF RECOMMENDATIONS

All proposed RMP amendments described in the body of this report are collated and listed in Attachment A. Most amendments can begin to be implemented as soon as this Review has been endorsed by Council and made public.

Also listed in this Attachment are recommendations that do not directly relate to an amendment of the RMP, but will instead improve Council's capacity to deliver on its RMP.

5. NEXT STEPS

5.1. FINALISATION OF REVIEW

The Review process is defined in the Road Management Act (General) Regulations 2016. A report on the findings and conclusions of the Review must be made publicly available.

Regulation 302 (5)

After a road authority has completed a review of its road management plan, it must –

- (a) produce a written report summarising the findings and conclusions of the review, and
- (b) make the report available for copying or inspection at the place where the road management plan may be inspected or obtained in accordance with section 55(1)(b) of the Act.

It is the intention that this RMP Review will be reported to Council and made available on Council's website.

5.2. AMENDMENT OF ROAD MANAGEMENT PLAN

Amending the Road Management Plan is a separate regulatory process which is defined by regulations 303 and 304.

Regulation 303 (1)

Subject to regulation 304, if a road authority proposes to amend a road management plan, and the amendment relates to the determination of a standard of construction, inspection maintenance or repair under section 41 of the Act, the road authority must give notice-

Notification of these amendments must be in accordance with regulation 303 and include gazettal and a 28 day consultation period.

However, Regulation 304 defines when notification of a proposed amendment is not required.

Regulation 304

A road authority is not required to give notice under regulation 303 if the Chief Executive Officer (however described) of the road authority certifies in writing that the proposed amendment to the road management plan results in the determination under section 41 of the Act of a standard and –

- (a) that standard is higher than a relevant standard previously determined under section 41 of the Act, or
- (b) the determination of that standard only deals with changes to administrative procedures within a road authority or between road authorities, or
- (c) the determination of that standard only deals with changes of a machinery or declaratory nature, or
- (d) the determination of that standard only deals with –
 - (i) a road for which the road authority has become the coordinating road authority
 - (ii) a road which has become a public road –

since the relevant road management plan was made or since that plan was last reviewed in accordance with section 54(5) of the Act and these Regulations

The RMP Review recommendations will be actioned prior to the next amendment of Council's RMP. Where no public notice is required in accordance with Regulation 304, certification will be sought from Council's Chief Executive Officer. Any amendments will be documented in the revision schedule in Attachment 11 of the RMP

ATTACHMENTS

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ATTACHMENT A – SUMMARY OF RECOMMENDATIONS

1. RECOMMENDED AMENDMENTS TO COUNCIL'S RMP

ID	Recommended Amendment	Nature of Amendment
1.1	Attachment 3 Remove	Administrative (no public notice required)
1.2	Attachment 3 Remove	Administrative (no public notice required)
1.4	Attachment 10 Insert new instrument of delegation once finalised. (This can be done at the same time as any future RMP amendments, so as to limit additional Council reports.)	Administrative (no public notice required)
1.5	Section 1.1 Update Road Management Act (2004) to date 1 April 2017	Administrative (no public notice required)
1.6	Section 1.1 Append to reflect 2017 Review amendment in accordance with Road Management Act (General) Regulations - March 2016	Administrative (no public notice required)
1.7	Attachment 2 Public Road Register – Remove and cross reference to public website link to provide the public with an up to date register of roads	Administrative (no public notice required)
1.8	Section 1.5 Update key Council strategy documents and Vision themes	Administrative (no public notice required)
1.9	Attachment 4 Hazard Inspections As recommended by Council's insurer, remove and relocate to other strategies and plans non road related asset inspections.	Public Notice Required
1.10	Attachment 4 Maintenance Service Levels As recommended by Council's insurer, remove and relocate to other strategies and	Public Notice Required

ID	Recommended Amendment	Nature of Amendment
	plans non road related asset maintenance activities.	
1.11	Section 1.8 Update to reflect the consultation process for the 2017 review	Administrative (no public notice required)
1.12	References Update documents listed to current	Administrative (no public notice required)
1.13	Attachment 11 Update revision schedule with latest amendments	Administrative (no public notice required)

2. RECOMMENDED ACTIONS NOT RESULTING IN AMENDMENTS TO COUNCIL'S RMP

ID	Recommended Action	Responsibility

Pursuant to Section 79 of the Local Government Act 1989 (the Act), Councillor Mortimore declared a direct interest pursuant to Section 77B of the Act in Item 9.1 on the grounds that he is an office bearer for an organisation that may benefit from funds allocated by the panel.

COUNCILLOR MORTIMORE VACATED THE CHAMBER AT 8.13PM PRIOR TO DISCUSSION ON ITEM 9.1

ALL WARDS

9.1 COMMUNITY DEVELOPMENT FUND EVALUATION PANEL MEMBERSHIP

SUMMARY: *Community Resourcing Officer (Deb Robert)*

The aim of the Community Development Fund is to develop, enhance and support the involvement of community groups in activities and projects that respond to identified needs in the Knox community.

At the 27 March 2017 Ordinary Meeting of Council, the Community Development Fund Evaluation Panel Terms of Reference were amended to increase the number of Councillors and community members. A recruitment process has been required both to replace a retiring community member and to fill the newly created member position.

Council has resolved to undertake a review of all Council's Advisory Committees during 2017. This review may result in changes to the Community Development Fund Evaluation Panel and its membership prior to the completion of its term.

This report presents recommendations for the appointment of two new Community members to the Community Development Fund Evaluation Panel. Council approval of the new community representatives is requested to enable the Panel to convene and assess the 2017/18 grant submissions in July 2017.

RECOMMENDATION

That Council appoint the following new community members to the Knox Community Development Fund Evaluation Panel for a four year period (2017-2021), as presented in Confidential Appendix B:

Name	Category
1.	Community Representative
2.	Community Representative

9.1 Community Development Fund Evaluation Panel Membership (cont'd)

1. INTRODUCTION

This report presents recommended nominees for the two vacant community member positions on the Community Development Fund (CDF) Evaluation Panel (the Panel).

The CDF Evaluation Panel is an Advisory Committee to Council with the purpose of assessing the annual applications to the Community Development Fund and making recommendations to Council for the allocation of the grants.

The CDF Evaluation Panel comprises three Councillors, three Community representatives with voting rights, and Council Officers providing advice and support.

Two vacancies on the CDF Evaluation Panel occurred in late 2016 due to the conclusion of one community member's four-year term and an increase in the number of community members, approved by Council at the 27 March 2017 meeting.

A recruitment process to fill both vacancies commenced in April 2017. Council approval of the community representatives is required to enable the CDF Evaluation Panel to convene and assess 2017-18 grant submissions in July 2017.

2. DISCUSSION

Knox Council's *Council Committees Policy* requires the approval from Council for the appointment of community representatives recommended from a registration of interest and selection process.

Ms Amanda Steele has been a community evaluation panel member for the past six years, having completed an initial four year term and successfully reapplying for an additional two year term. Ms Steele's tenure concluded with the completion of the 2016-17 Community Development Fund assessment and grants celebration event. She participated in the final meeting in November 2016 to reflect on the previous grant round and provide advice on process improvements for the future.

2.1 Selection Process

In April 2017, a broad reaching advertising campaign was undertaken to call for nominations to the CDF Evaluation Panel. Advertisements were placed in local papers, in e-bulletins to over 350 not for profit groups in Knox, through Council's social media and on Knox library and Knox Civic Centre Customer Service screen promotions.

Nominations were received from eight Knox community members. All applications were deemed eligible and were of a high standard. This determined the need to interview all the nominees between 16 May and 24 May.

9.1 Community Development Fund Evaluation Panel Membership (cont'd)

In accordance with the CDF Evaluation Panel Terms of Reference nominees were interviewed by Cr Jackson Taylor (Chair), and Deb Robert (Community Resourcing Officer) and Amanda Steele as a past representative, to bring her experience and perspective as a past community member.

The nominees were assessed on the following selection criteria (Appendix A):

- Knox resident;
- Knowledge of local issues;
- Established networks and connections with diverse groups in Knox;
- Reasons for seeking Panel membership as an indication of commitment to the wellbeing of Knox community;
- Potential skill/knowledge including committee experience;
- Awareness of grants processes and issues;
- Availability to attend the required meetings; and
- Computer knowledge and experience.

2.2 Recommendations

The interviewing panel were unanimous in their recommendation of the two community representatives for appointment to the CDF Evaluation Panel for the period 2017 to 2021 (see Confidential Appendix B & Appendix C for details of nominees and recommendations).

Both of the recommended applicants achieved the greatest score against selection key criteria and clearly demonstrated their capacity to contribute valuable skills and perspective to the CDF Evaluation Panel and the grants assessment process.

3. CONSULTATION

Notices calling for nominations to the Community Development Fund Evaluation Panel were:

- Advertised in the local and community newspapers;
- Displayed on Council's website front page and the Community Development Fund webpage;
- Presented on screens in Knox libraries and Council Customer Service; and
- Emailed to over 350 not for profit community groups.

The recruitment process was also promoted in community grants information sessions during April.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental/amenity issues associated with this report.

9.1 Community Development Fund Evaluation Panel Membership (cont'd)**5. FINANCIAL & ECONOMIC IMPLICATIONS**

The Community Development Fund is supported in Council's annual budget with an allocation of \$250,000. Any surplus carried forward from uncommitted Incidental Community Grants is added to this amount for distribution. The Community Development Fund is incorporated in the Long Term Financial Forecast.

6. SOCIAL IMPLICATIONS

The Community Development Fund grant program facilitates engagement between Council and a diverse range of community groups, strengthens existing relationships, supports new collaborations and broadens understanding of community need. It enables the delivery of projects relating to the draft Knox Community and Council Plan 2017-21

The participation of community members in the grant assessments is a valuable opportunity for civic participation and broadens the range of skills and perspectives brought to the process by all CDF Evaluation Panel members.

The opportunity also facilitates greater understanding of Council amongst community members, and increases their awareness of the range of activities supported by Council.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The Community Development Fund grants program contributes to the current *City Plan 2013-17* themes of 'Healthy, Connected Communities', 'Culturally Rich and Active Communities', and 'Democratic and Engaged Communities' and to draft Community and Council Plan goals and strategies. It also contributes to the implementation of goals and strategies within the draft Knox Community and Council Plan 2017-21.

The funded projects assist Council and community to deliver objectives under a number of Council implementation plans.

8. CONCLUSION

Following a thorough recruitment process in April and May 2017, two nominees for the position of community representatives to the CDF Evaluation Panel are recommended to Council.

Approval by Council of the recommended community members is now sought to ensure the required representative composition on the CDF Evaluation Panel to enable the 2017-2018 grant assessment process to proceed in July.

9.1 Community Development Fund Evaluation Panel Membership (cont'd)

The unsuccessful applicants will be contacted and discussions held to determine if applicants are interested in other opportunities to contribute their skills and commitment to the Knox community. Council officers will assist to provide referral and linkage to these opportunities.

9. CONFIDENTIALITY

In the interest of personal privacy, names and details of applicants in Appendix B and C are treated as confidential.

COUNCIL RESOLUTION

MOVED: CR. TAYLOR

SECONDED: CR. SEYMOUR

That Council appoint the following new community members to the Knox Community Development Fund Evaluation Panel for a four year period (2017-2021), as presented in Confidential Appendix B:

Name	Category
1. MARCIA TIMMERS-LEITCH	Community Representative
2. LANCE DEVESON	Community Representative

CARRIED

9.1 Community Development Fund Evaluation Panel Membership (cont'd)**APPENDIX A – Community Development Fund Evaluation Panel – key criteria for interview scoring**

Key Criteria for Interview Scoring	Optimum Score
Resident in Knox Prepared to commit to the Panel for up to 4 years Able to participate within the annual timeframe and meeting schedule for the CDF grants round Comfortable utilising on-line assessment tool	15
Potential skills / knowledge to contribute to Panel including; • committee experience, • advisory/reference group experience and/or • grant assessment experience Commitment/ understanding of consensus decision making	15
Interest and understanding of local community groups and their benefit to the Knox community	15
Understanding of how CDF/grants can support capacity & effectiveness of community groups	15
Capacity to represent cross-section of community interests and priorities	15
General commitment & enthusiasm for the wellbeing of Knox community	15
TOTAL OPTIMUM SCORE	90

9.1 Community Development Fund Evaluation Panel Membership (cont'd)

Confidential Appendix B - Community Development Fund Evaluation Panel
Community Representative Recommendations and

Confidential Appendix C - Community Development Fund Evaluation Panel
Community Representative applications

are circulated under separate cover.

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COUNCILLOR MORTIMORE RETURNED TO THE CHAMBER AT 8.16PM PRIOR TO DISCUSSION ON ITEM 9.2

COUNCILLOR COOPER VACATED THE CHAMBER AT 8.17PM DURING DISCUSSION ON ITEM 9.2

COUNCILLOR COOPER RETURNED TO THE CHAMBER AT 8.19PM PRIOR TO THE VOTE ON ITEM 9.2

ALL WARDS

9.2 COMMUNITY ACCESS AND EQUITY IMPLEMENTATION PLAN 2017-22

SUMMARY: *Acting Coordinator Community Access and Equity – Amanda Wiggs*

The Community Access and Equity Implementation Plan 2017-22 (The Plan) (Appendix A) will be the first for the City of Knox and will be an implementation plan of the Knox Community and Council Plan 2017-21. The development of a Community Access and Equity Implementation Plan was identified as an initiative within Council's 2016/17 Annual Plan.

The Plan integrates Council's previous Access and Inclusion Plan for People with Disabilities, Multicultural Strategic Plan and Preventing Violence Against Women Action Plan. It will enable a more integrated approach for Council to respond to other emerging access and equity issues affecting marginalised, vulnerable and disadvantaged population groups in Knox.

A preliminary Draft Action Plan is presented in Appendix B for consideration. Additional work will occur following finalisation and approval of the Knox Community and Council Plan 2017-21, to ensure the Community Access and Equity Implementation Plan 2017-22 aligns with the goals, strategies and initiatives of these plans. A finalised Action Plan will be presented to Council in September 2017 for approval, along with a summary of the Community Access and Equity Profile.

RECOMMENDATION

That Council:

1. Approve the Draft Community Access and Equity Implementation Plan 2017-22 and preliminary Draft Action Plan for further community and Council consultation and development; and
2. Receive the final Draft Community Access and Equity Implementation Plan 2017-22 for approval at its 25 September 2017 Ordinary meeting of Council.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

1. INTRODUCTION

The Community Access and Equity Service provides activities and programs that support and advocate for marginalised, vulnerable and disadvantaged populations groups to foster a diverse, accessible, inclusive and equitable Council and community.

Over a number of years, the Community Access and Equity Service has been responsible for three Council strategic action plans including the *Knox Multicultural Strategic Plan 2012-17*, *Access and Inclusion Plan for People with Disabilities 2016* (a legislative requirement under the *State Disability Act [2006]*), and the *Knox Preventing Violence Against Woman Action Plan*.

Through consultation with the Knox Multicultural Advisory Committees, Knox Disability Advisory Committees, EMT and Council, it has been recommended that a new plan be developed, integrating these three plans as well as other access and equity issues affecting marginalised, vulnerable and disadvantaged population groups in Knox.

This Plan will provide a number of benefits by having one plan that outlines clear strategic direction regarding Council's response to emerging access and equity issues in Knox and will enable a strengthened access and equity approach across the community and the organisation as well as providing clarity regarding future resource requirements.

The Plan both aligns with and responds to the emerging Knox Community and Council Plan 2017-21, which sets the direction for the Knox community through its goals, strategies, role and focus of Council. The Plan links directly with the goals of the Knox Community and Council Plan 2017-21 in achieving Council's vision and demonstrates Council's ongoing commitment to reducing barriers whilst enhancing access, participation and inclusive practice for all people in Knox.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

Within Council's Strategic Planning Framework, the Plan will be an Implementation Plan as shown in the diagram below.

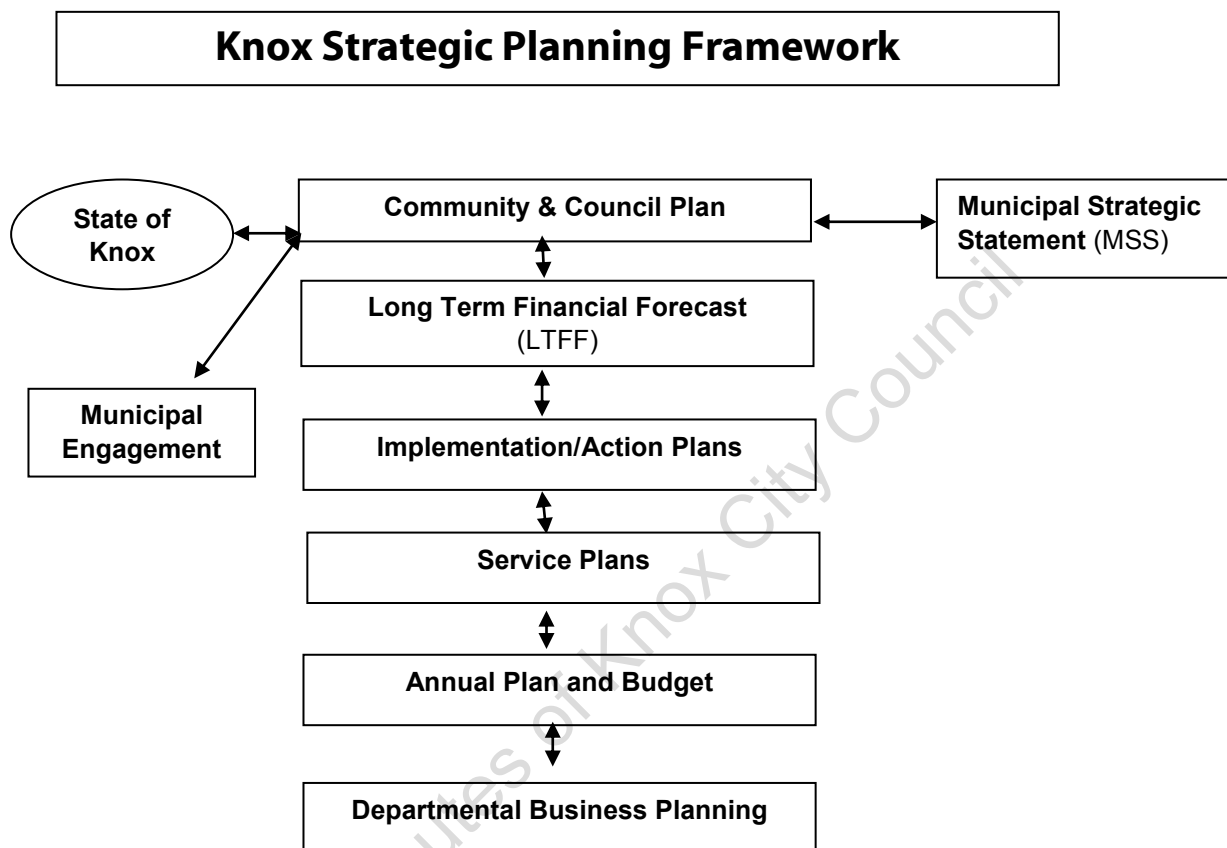


Figure 1

The Plan provides details regarding Council's commitment to access and equity and the principles that will help guide implementation, particularly the 'inclusiveness' principle.

2. DISCUSSION

2.1 Community Access and Equity Service Review

In 2016, the Community Access and Equity Service undertook a service review to identify what the role, strategic intent, service model, service activities and service levels of Council should be for this Service. At the 13 December 2016 Strategic Planning Committee meeting, the Community Access and Equity Service Plan was approved.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

Approved actions included consolidating three service activities (information, linkages and capacity building), and a modifying the existing service model to enable a more flexible and adaptive Service that is able to better deliver on its strategic intent. This would ensure that the Service has a broader and more integrated approach for Council to respond to other emerging access and equity issues affecting marginalised, vulnerable and disadvantaged population groups in Knox.

It was agreed that the research, engagement and development of the Community Access and Equity Implementation Plan would further inform the implementation of this Service Plan and the programs and activities for Council overall and for the Service over the next five years.

2.2 Community Access and Equity Implementation Plan 2017-2022

The development of a Community Access and Equity Implementation Plan aligns with Council's responsibilities under Commonwealth, Victorian and Local Government legislation and outlines our focus and direction in meeting the needs of marginalised, disadvantaged and vulnerable population groups in Knox.

Knox City Council has an obligation and responsibility as a Local Government Authority to take into account the diverse needs of the local community; advocating for their interests to other communities, governments and fostering community cohesion and encouraging active participation in civic life and planning for and providing services and facilities for the local community.

Knox City Council has a strong history and active role in inclusive community planning through development of previous strategic plans, delivery of programs, projects and activities and the establishment of relevant advisory committees that advise and support Council to improve outcomes for marginalised, vulnerable and disadvantaged population groups.

Knox City Council recognises that it cannot address all social issues affecting the lives of marginalised, vulnerable and disadvantaged population groups alone and that it must consider ways it can work with community partners, business and all levels of government to address discrimination and disadvantage as well as promote diversity and inclusion.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

2.3 Community and Access Equity Issues

Knox is a diverse community, made up of people from many different cultures, beliefs, abilities and identities. Knox Council acknowledges that not all people start from the same position in life and therefore may have differences in their lived experience in the community. For some people this difference may mean that they experience discrimination, disadvantage and exclusion from community life.

The Plan provides a common framework to ensure that every member of our diverse community has the opportunity to participate, contribute and access Services and activities within Knox. The Plan will provide guidance to Council to undertake targeted projects in response to the needs of groups that are/or are at risk of being marginalised and disadvantaged from social, health, economic and political life.

2.4 Community Benefits

This Plan will provide a number of benefits to the community and the organisation by having one plan that clearly outlines clear strategic direction regarding Council's response to emerging and ongoing access and equity issues in Knox. This will provide clarity for community organisations to understand Council's role and priority areas for focus as well as future resource requirements.

The Plan is an implementation plan of the emerging Knox Community and Council Plan 2017-21. This will enable a strengthened access and equity approach across the community and the organisation.

2.5 Guiding Principles

The Knox Community and Council Plan 2017-2021 outlines the following principles that underpins all future planning for the City of Knox:

- **Flexibility** - Council is ready to adopt alternative strategies in response to changing circumstances, to enable community resilience.
- **Integration** - Implementation should bring together a range of distinct systems and stakeholders, creating additional benefits where resources are shared and helping people to work together to achieve greater ends, giving consideration to a place-based approach to planning and delivery.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

- **Robustness** - Strategies should be well conceived, evidence-based and able to take account of all life stages. Sustainability principles should be embedded to balance current needs with those of future generations, taking into account return on investment.
- **Inclusiveness** - Council encourages broad engagement, shared contribution and collaboration in community decisions, incorporating an access and equity approach.
- **Resourcefulness** - Council recognises alternative ways to use resources, including funding and delivery, adopting a prevention and early intervention approach.
- **Reflection** – Council draws on experience to inform future decision-making and evaluation.
- **Foresight** - Council works to identify future changes which will impact the community and use innovative and creative strategies and action to deal with change in the long term, exercising stewardship and leadership of change.

The Community Access & Equity Implementation Plan provides details regarding what an 'access and equity/inclusiveness approach' is. These principles will help guide implementation of The Plan:

- **Equity** - a 'fair go' for all, where Council recognises that there is not a 'one size fits all' approach to the way we engage with, plan and deliver services to the Knox community.
- **Diversity** – Celebrate and enhance our diverse community, which includes people born and raised in Australia, people from other countries and cultures, different religious and faith beliefs, ages, genders, identities and abilities.
- **Access** – All community members have access to services, information and the opportunity to participate in community life free from discrimination.
- **Inclusion** – All community members have the opportunity to fully participate in decisions that affect them and their community.

2.6 Focus Areas

The following five Focus Areas provide a focus for Council actions across Council's 38 services to achieve outcomes for marginalised, vulnerable and disadvantaged population groups:

- **Focus Area 1: Equitable, Accessible and Inclusive Services**
Council will work to ensure all community members, no matter their ability, religion, race, gender or sexual identity, will have access to Council and community services that meet their needs.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

- **Focus Area 2: Leadership and Advocacy**
Council will lead by example and advocate to other levels of government, business, services, community organisations and the community to promote human rights and address issues of discrimination and exclusion.
- **Focus Area 3: Accessible and Safe Places and Spaces**
Council will work to ensure that all our buildings, public places and open spaces are accessible, universally designed and safe for everyone.
- **Focus Area 4: Empowerment and Participation**
Council will facilitate civic participation and inclusive engagement to ensure that people can exercise their rights and voices to help shape their own future.
- **Focus Area 5: Celebrating Diversity and Creating a Sense of Belonging**
Council will value and celebrate the diverse people and communities that make up Knox and the skills and abilities that they bring.

Council officers will work across all areas of Council, including building organisational capacity and competence, service provision and civic participation.

2.7 Action Plan

A preliminary Draft Action Plan is presented in Appendix B for consideration.

Additional work will occur following finalisation and approval of the Knox Community and Council Plan 2017-21, to ensure the Community Access and Equity Implementation Plan 2017-22 aligns with the goals, strategies and initiatives of the Community and Council Plan 2017-21. A finalised Action Plan will be presented to Council in September 2017 for approval.

2.8 Emerging Issues and key themes

The following emerging themes and issues have been identified as impacting Knox's marginalised, vulnerable and disadvantaged population groups:

- Lack of access or knowledge of appropriate services that meet the needs of our diverse population groups;
- Discrimination and racism;
- Violence - including family violence, violence towards women, elder abuse and perceptions of safety;
- Lack of culturally appropriate services and limited knowledge and understanding of cultural expectations (CALD, Indigenous and LGBTI communities); and
- Compounding disadvantage – impact areas include mental health, lack of appropriate housing, financial stress, gambling and isolation.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

2.9 Draft Action Plan

The Plan's draft actions (Appendix B) provide an example of opportunities for Council led actions for the next five years that responds to access and equity issues in Knox. The Draft Action Plan identifies the actions, role of Council, the service that will lead and support the actions, if the action is existing or new, the community partners, if known and its alignment to the draft Community and Council Plan 2017-2021.

A full list of actions as well as resources required to deliver the Plan will be developed following the Knox Community and Council Plan 2017-21's approval.

2.10 Monitoring and reporting

The Community Access and Equity Service will oversee monitoring and reporting of The Plan to Council. The Community Access and Equity Service will undertake consultation with key internal and external stakeholders including Council's Advisory Committees (particularly its Disability, Multicultural, Early Years, Community Health & Wellbeing, Youth Issues, and Active Ageing Committees) on the implementation of The Plan and present an annual report to Council on progress.

Council is currently undertaking a review of Council's Advisory Committees. This review will inform the future role of Advisory Committee's in supporting the monitoring and implementation of The Plan.

2.11 Next Steps

The development of the Community Access and Equity Implementation Plan actions will also link to the work currently underway in the development of the Life Stages Implementation Plan.

Following Council's consideration of the draft Community Access and Equity Plan at this Council Meeting, the final Plan will be presented to Council for approval in September 2017.

3. CONSULTATION

In developing The Plan, a number of consultative processes have been established and undertaken including:

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

- Development of a draft Community Access and Equity Profile – detailing demographic data on social, health and economic status, as well as emerging gaps, risks and protective factors of the identified population groups. One element of this profile – low socio economic population profile has presented to Council at its 22 May 2017 meeting in response to a call up item to provide an overview report that highlights population groups and suburbs where inequalities and disadvantage are represented (where available), the data sources informing this report; and an explanation of the SEIFA Indexes.
- Internal Mapping of services currently delivered by Council that support marginalised, vulnerable and disadvantaged population groups.
- Establishment of a Steering Committee, made up of key Council staff to provide guidance and expertise to the Project Manager and Project Officer on the development of The Plan. Six meetings were held in 2016.
- Establishment of a Working Group, made up of key internal Council staff and community stakeholders, including Women's Health East, EACH, Knox Infolink and the Department of Health and Human Services with expertise in working with marginalised and disadvantaged communities. Three half day workshops were held to:
 - Provide input and feedback on the findings of the Knox Community Access and Equity Profile (data);
 - Identify additional issues, concerns and challenges for marginalised, vulnerable and disadvantaged population groups in Knox;
 - Identify key community services and agencies working with identified population groups; and
 - Development and review of emerging issues and themes, and areas of action.
- Ongoing engagement with Community and Council Plan working group regarding alignment opportunities.
- Review of the Community Engagement findings from the emerging Knox Community and Council Plan 2017-2021. Community Access and Equity Implementation Plan 2017-22.
- Consultation and feedback from the Knox Disability Advisory Committee, Knox Multicultural Advisory Committee, Knox Early Years Advisory Committee and Active Ageing Advisory Committee on identified community issues and areas for action.
- Ongoing review, research and identification of the role of Council in addressing emerging community access and equity issues impacting on marginalised, vulnerable and disadvantaged populations groups in Knox.
- Consultation and feedback from EMT on 5 May 2017 and Issues Briefing on 15 May 2017 on the draft Plan and preliminary action plan.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

Following Council's consideration of the Draft Community Access and Equity Implementation Plan 2017-22, further community and Council engagement will occur. A finalised Community Access and Equity Plan 2017-22 will be presented to Council for consideration at its 25 September 2017 meeting.

4. ENVIRONMENTAL/AMENITY ISSUES

The draft Community Access and Equity Plan highlights a range of activities that will have environmental or amenity issues. This includes partnering with Outer Eastern Metropolitan Councils to research the need for an Integrated Aboriginal Health Facility for the Outer Eastern Aboriginal community.

It is expected ongoing costs associated with the Capital Works Retrofitting Program will be required. Council will also need to consider resources required for designing and building best practice, universally designed Council facilities that cater for Knox's diverse community now and into the future.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The Community Access and Equity Implementation Plan will outline resource requirements to support implementation of The Plan. Additional resource proposals would be sought through future council budget processes or external grant and community funding opportunities.

6. SOCIAL IMPLICATIONS

The Community Access and Equity Implementation Plan will guide activities and programs that support and advocate for marginalised, vulnerable and disadvantaged populations groups within Knox to foster a diverse, accessible, inclusive and equitable Council and community.

It is anticipated that implementation of the Community Access and Equity Implementation Plan will have specific benefits to the whole Knox community including individuals, community and business.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The Community Access and Equity Implementation Plan contributes to the implementation of goals, strategies and actions of the draft Knox Community and Council Plan 2017-21 all Themes of the current City Plan 2013-17 (incorporating the Council Plan) along with other relevant Council plans and strategies.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

City Plan 2013-17

- Theme 1 - Healthy, Connected Communities;
- Theme 2 - Prosperous, Advancing Economy;
- Theme 3 - Vibrant and Sustainable Built;
- Theme 4 - Culturally Rich and Active Communities; and
- Theme 5 - Democratic and Engaged Communities.

Draft Community and Council Plan 2017-21

- We value our natural and built environment;
- We have housing to meet our changing needs;
- We can move around easily;
- We are safe and secure;
- We have a strong regional economy, local employment and learning opportunities;
- We are healthy, happy and well;
- We are inclusive, feel a sense of belonging and value; and
- We have confidence in decision-making.

8. CONCLUSION

This report outlines the draft Community Access and Equity Implementation Plan 2017-22, which is an implementation plan of the draft Knox Community and Council Plan 2017-21. The development of The Plan is identified as an initiative within Council's 2016/17 Annual Plan and has been identified as part of the Community Access and Equity Service Plan.

The Plan integrates Council's previous Access and Inclusion Plan for People with Disabilities, Multicultural Strategic Plan and Preventing Violence Against Women Action Plan. It will enable a more integrated approach for Council to respond to other emerging access and equity issues affecting marginalised, vulnerable and disadvantaged population groups in Knox.

The development of a Community Access and Equity Implementation Plan aligns with Council's responsibilities under Commonwealth, Victorian and Local Government legislation and outlines our focus and direction in meeting the needs of marginalised, disadvantaged and vulnerable population groups in Knox

Knox City Council has a strong history and active role in inclusive community planning through development of previous strategic plans, delivery of programs, projects and activities and the establishment of relevant advisory committees that advise and support Council to improve outcomes for marginalised, vulnerable and disadvantaged population groups.

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

The Plan will provide a number of benefits to the community and the organisation by having one plan that clearly outlines clear strategic direction regarding Councils response to emerging access and equity issues in Knox. This will provide clarity for community organisations to understand Councils role and priority areas for focus as well as future resource requirements.

The draft Community Access and Equity Plan is presented in Appendix A and a preliminary Draft Action Plan is presented in Appendix B for consideration. Additional work will occur following finalisation and approval of the Knox Community and Council Plan 2017-21, to ensure the Community Access and Equity Implementation Plan 2017-22 aligns with the goals, strategies and initiatives of this plan. A finalised Action Plan will be presented to Council in September 2017 for approval, along with a summary of the Community Access and Equity Profile.

9. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. MORTIMORE

That Council:

- 1. Approve the Draft Community Access and Equity Implementation Plan 2017-22 and preliminary Draft Action Plan for further community and Council consultation and development; and**
- 2. Receive the final Draft Community Access and Equity Implementation Plan 2017-22 for approval at its 25 September 2017 Ordinary meeting of Council.**

CARRIED

9.2 Community Access and Equity Implementation Plan 2017-22 (cont'd)

APPENDIX A – Draft Knox Community Access and Equity Implementation Plan Framework 2017-22;

APPENDIX B – Draft Knox Community Access and Equity Implementation Plan 2017-22 – Preliminary Action Plan; and

APPENDIX C – Legislative Context and Definitions

are circulated under separate cover.

Official Minutes of Knox City Council

ALL WARDS**10.1 DRAFT COMMUNITY & COUNCIL PLAN 2017-2021**

SUMMARY: *Acting Manager – City Futures (Trish Winterling), Manager – Governance & Innovation (Fleur Cousins), Manager – Community Wellbeing (Kathy Parton), Manager – City Planning & Building (Paul Dickie), Manager – Sustainable Infrastructure (Matthew Hanrahan), Acting Manager Communications & Customer Service (Jude Whelan).*

This report presents to Council the revised draft Community and Council Plan 2017-21 for consideration and final adoption. The draft Community and Council Plan was made available with the proposed Budget 2017-18 for public comment for a period of 28 days in accordance with s223 of the Local Government Act 1989. A total of 62 submissions were received for both documents at the close of this period. This report recommends adoption of the revised draft Community and Council Plan 2017-21, which incorporates the amendments proposed in Appendix A.

RECOMMENDATION

That Council

1. Note the submissions received in response to the draft Community and Council Plan 2017-21, thank the submitters and provide a written response notifying submitters of the decision and the reason for the decision;
2. Endorse the Amendments to the Draft Community and Council Plan 2017-2021 as outlined in Appendix A;
3. Adopt the draft Community & Council Plan 2017-2021 provided in Appendix B of this report, that incorporates public health and wellbeing matters as per s27 of the Public Health and Wellbeing Act 2008, the draft Strategic Resource Plan as per s126 of the *Local Government Act 1989*, and the amendments referred to in Appendix A;
4. Forward a copy of the adopted Community and Council Plan 2017-21 to the Minister for Local Government by 30 June 2017 in accordance with legislative requirements of s125 of the *Local Government Act 1989*; and
5. Forward a copy of the adopted Community and Council Plan 2017-21 to the Secretary in accordance with legislative requirements of the s27(3) of the *Public Health and Wellbeing Act 2008*.

10.1 Draft Community & Council Plan 2017-2021 (cont'd)

1. INTRODUCTION

The current City Plan (incorporating Council Plan) will expire on 30 June 2017.

The development of the new draft Community & Council Plan 2017 – 2021 commenced in January 2016 and was informed by: evidence based research (2nd Edition State of Knox Report); community engagement, including the Municipal Survey, focus groups, Community Panel and an Agency Workshop; and internal engagement with Councillors and Council officers.

In accordance with s125 of the *Local Government Act 1989*, Council is required to prepare and approve a four year Council Plan by 30 June following Council general elections. The attached draft Community and Council Plan 2017-2021 satisfies this legislative requirement on behalf of Knox City Council. The draft Community and Council Plan clearly articulates the goals and strategies to achieve the Knox Vision, and the Council Plan component describes Council's role and focus, and the initiatives to be undertaken over the next four years.

The draft Community and Council Plan 2017-2021 was made available with the Proposed Budget 2017-18 for community comment for a period of 28 days, using the public submission process provided in s223 of the *Local Government Act 1989*. This process is now complete, and a copy of the revised draft Community and Council Plan 2017-2021 is provided in Appendix B of this report.

The draft Community and Council Plan 2017-2021 satisfies s26 and s27 of the *Public Health and Wellbeing Act 2008* to include public health and wellbeing matters in the Council Plan. It also incorporates the Strategic Resource Plan which outlines the resources required to achieve the goals of the draft Community and Council Plan over the next four years as per s126 of the *Local Government Act 1989*.

2. DISCUSSION

A key feature of Knox's draft Community and Council Plan 2017-2021 is the strong community engagement and partnership approach taken to its development, building on the previous City Plan 2013-17 and the community-wide Knox@50 project. The strategy for the future Knox has been developed to inform the business priorities of Council and other stakeholders in Knox that will have a role in delivering the Plan. The draft Community and Council Plan 2017-2021 therefore supports a strong partnership approach to delivering on the aspirations of the Knox community.

10.1 Draft Community & Council Plan 2017-2021 (cont'd)

The draft Community & Council Plan 2017-21 articulates the following:

- The Knox Vision 2035;
- Shared goals and strategies to achieve the Vision;
- Roles and focus for Council in achieving the Vision;
- Council targets required to measure our progress to achieving the goals and strategies;
- Council Plan initiatives for the next four years; and
- Community targets required to measure our progress to achieving the goals and strategies.

The Council Plan component of the draft Community and Council Plan has been developed to be very specific about Council's role in relation to the shared goals and strategies, and how the performance of Council's role and focus will be measured. A number of initiatives will be undertaken by Council over the coming four years have also been identified under each of the strategies, which will directly contribute to the achievement of the goals, and ultimately the Knox Vision.

The Council Plan component also drives the allocation of Council's resources through the Strategic Resource Plan and budget process to Council's ongoing business and priority services and projects.

Knox City Council is committed to transparency and accountability, therefore the Community and Council Plan 2017-2021 will be monitored, with the Council Plan component being reported annually to the community in the Knox Annual Report (as required by s131 of the *Local Government Act 1989*) and a mid-term progress report being produced against the plan as a whole.

3. CONSULTATION

The draft Community and Council Plan 2017-2021 was developed using input from a wide range of key stakeholders, including community agencies, other tiers of government, businesses, community groups and clubs, and not-for-profit organisations, as well as community members. Councillor and internal engagement across the organisation with subject matter experts was also undertaken during the development of the Plan.

Another key element of the engagement was the formation of the Knox Community Panel. The Panel was a new approach for Knox and was regarded as a best practice approach for deliberative community engagement. It provided an opportunity to both share greater information with panel members on the challenges faced by Council and its operating environment as well as hear from panel members on the aspirations and priorities for the Knox municipality and the role Council should have in achieving these.

10.1 Draft Community & Council Plan 2017-2021 (cont'd)

The draft Community and Council Plan 2017-21 was also made available with the proposed Budget 2017-18 for community comment for a period of 28 days, in accordance with s223 of the *Local Government Act 1989*. During this time, a total of 62 submissions were received for both documents. Section 3.1 below provides an overview of the submissions.

3.1 Submissions Received

During the public comment period, submitters were asked to nominate if their submission was in relation to the draft Community and Council Plan, the proposed Budget or both. Of the 62 submissions received, the breakdown was as follows:

- 23 submissions indicated they were in relation to the draft Community and Council Plan;
- 29 were in relation to the Budget; and
- 10 indicated they were in relation to both.

The topics of the submissions included the following:

- Housing affordability
- Development/high density living
- Rates
- Hybrid/electric vehicles
- Council listening to feedback/ accountability of Council
- Garbage charge
- Staff wages
- Gender neutral public toilets
- Gambling
- Biodiversity
- Parks, playgrounds & community spaces
- Reconciliation Action Plan
- Public transport
- Ageing population

10.1 Draft Community & Council Plan 2017-2021 (cont'd)

- Access and equity
- Family violence/violence against women

3.2 Proposed Amendments to the draft Community and Council Plan 2017-2021

In response to public feedback, and due to further work completed by officers during the public submission period, minor amendments are proposed to the draft Community and Council Plan 2017-2021. All proposed amendments are provided in Appendix A of this report.

4. ENVIRONMENTAL/AMENITY ISSUES

The Community & Council Plan 2017-2021 enables Council's planning and service provision to respond to the specific needs of the community and enhance the Knox environment.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The development of the Community & Council Plan was funded within 2015-16 and 2016-17 operational budgets and will contribute to the achievement of Knox's Vision. To deliver the Community and Council Plan 2017-2021, Council also prepared a draft Strategic Resource Plan that outlines the financial and non-financial resources needed for the life of the plan, and the proposed Budget that allocates the resources required for the first year of the plan.

6. SOCIAL IMPLICATIONS

The draft Community & Council Plan responds to the specific needs of the community identified in the 2nd edition State of Knox Report and through the community engagement undertaken during its development. It also identifies a number of goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The draft Knox Community & Council Plan 2017 – 2021 replaces the current City Plan 2013 – 2017 and meets our legislative responsibilities under s125 of the *Local Government Act 1989*.

10.1 Draft Community & Council Plan 2017-2021 (cont'd)**8. CONCLUSION**

The draft Community and Council Plan 2017-21 outlines the vision, goals, strategies and priorities for the whole community, including Council. The Plan reflects the fact that there are many organisations and agencies involved in managing the municipality and servicing the Knox community. The draft Community and Council Plan 2017-21 meets the legislative requirements to prepare a Council Plan, Strategic Resource Plan, and include public health and wellbeing matters in the Council Plan.

The Plan is presented for Council's final consideration and adoption.

9. CONFIDENTIALITY

There are no confidentiality issues.

COUNCIL RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. HOLLAND

That Council

1. Note the submissions received in response to the draft Community and Council Plan 2017-21, thank the submitters and provide a written response notifying submitters of the decision and the reason for the decision;
2. Endorse the Amendments to the Draft Community and Council Plan 2017-2021 as outlined in Appendix A;
3. Adopt the draft Community & Council Plan 2017-2021 provided in Appendix B of this report, that incorporates public health and wellbeing matters as per s27 of the Public Health and Wellbeing Act 2008, the draft Strategic Resource Plan as per s126 of the *Local Government Act 1989*, and the amendments referred to in Appendix A;
4. Forward a copy of the adopted Community and Council Plan 2017-21 to the Minister for Local Government by 30 June 2017 in accordance with legislative requirements of s125 of the *Local Government Act 1989*; and
5. Forward a copy of the adopted Community and Council Plan 2017-21 to the Secretary in accordance with legislative requirements of the s27(3) of the *Public Health and Wellbeing Act 2008*.

CARRIED

10.1 Draft Community & Council Plan 2017-2021 (cont'd)

APPENDIX A – Table of Proposed Amendments to the Draft Community and Council Plan 2017-21 and

APPENDIX B – Community and Council Plan 2017-21

are circulated under separate cover

Official Minutes of Knox City Council

ALL WARDS**10.2 ANNUAL BUDGET 2017-18**

SUMMARY: *Manager Financial Services (Dale Monk)*

In accordance with Sections 127 and 130 of the Local Government Act 1989 (the Act) and Sections 9 -11 of the Local Government (Planning and Reporting) Regulations 2014, Council is required to prepare and adopt an annual budget by 30 June each year and submit it to the Minister within 28 days after adoption.

Key components of the Annual Budget 2017-18 include:

- ***\$81.990 million capital works program of which \$28.098 million is allocated to maintaining and renewing community assets. \$53.892 million is to be invested in new and upgraded community assets.***
- ***The Budget includes a 2.00% increase in rates (inclusive of the new Residential Garbage Charge) for 2017-18 in accordance with the rate cap requirements outlined in Sections 185A to 185G of the Act.***
- ***Continuation of the \$100 rebate in relation to rates and charges for all eligible recipients.***

RECOMMENDATION

That Council

1. Note the submissions received in response to the Proposed Annual Budget 2017-18, thank the submitters and provide a written response notifying submitters of the decision and the reason for the decision in accordance with Section 223(1)(d) of the *Local Government Act 1989*;
2. Adopts the Annual Budget 2017-18 provided in Appendix A;
3. Authorise the Chief Executive Officer to give public notice of this decision in accordance with Section 29 of the *Local Government Act 1989*;
4. Submit a copy of the Adopted Budget 2017-18 to the Minister for Local Government in accordance with Section 130(4) of the *Local Government Act 1989*;
5. Adopt the Rating Strategy 2017-18 provided in Appendix B;
6. Declare the Rates, Levies and Annual Service Charges for the 2017-18 financial year provided in Appendix C;

10.2 Annual Budget 2017-18 (cont'd)

Recommendation (cont'd)

7. Grant a rebate in relation to rates and charges to all Knox City Council residents eligible within the meaning of the *State Concessions Act 1986*. The maximum rebate is \$100.00;
8. Declare and grant a rebate, to be known as the Cultural and Recreational Community Land Rebate (refer Appendix C - Schedule A), to each owner of rateable Recreation Land. The rebate in respect of each rateable land so owned is a maximum of 35% of the general rates payable; and
9. Declare and consider a rebate, to be known as the Community Benefit Land Rebate (refer Appendix C - Schedule A), to each owner of eligible Community Benefit Land. The rebate in respect of each rateable land so owned is a maximum of 75% of the general rates payable.

1. INTRODUCTION

At its Ordinary meeting of 24 April 2017, Council resolved to advertise its Proposed Annual Budget 2017-18, calling for submissions in accordance with Section 223 of the *Local Government Act 1989* (the Act). The public submission period opened 25 April 2017 and closed 24 May 2017.

The Proposed Annual Budget 2017-18 was made available with the Draft Community and Council Plan 2017-21. Public comment was invited on both documents during the period of public consultation. In total, 62 submissions were received. The breakdown of submissions received were as follows:

- 23 submissions indicated they were in relation to the Draft Community and Council Plan;
- 29 were in relation to the Proposed Annual Budget 2017-18; and
- 10 indicated they were in relation to both documents.

At its meeting held on 30 May 2017, a Committee comprising all Councillors heard submissions on the Proposed Annual Budget 2017-18 and the Draft Community and Council Plan 2017-21. All submissions on both documents were tabled, with seven submitters speaking to their submission. The recommendations of the Committee, included in the Annual Budget 2017-18, are:

- \$25,000 grant for the Alliance for Gambling Reform to continue to advocate for the prevention of gambling harm within the Knox community;
- \$20,000 for the relocation of the existing play facility at Knox Park to improve safety and amenity; and
- \$3,500 for the installation of a change table to The Basin Triangle Public Toilet.

10.2 Annual Budget 2017-18 (cont'd)

2. DISCUSSION

The Annual Budget 2017-18 seeks to balance the competing demands for council services and infrastructure using prudential financial management principles to ensure long-term financial sustainability.

Significant investment in the capital works program of \$81.990 million provides an increase ability to fund asset renewal requirements and new capital works to support the delivery of the Community and Council Plan. Significant capital projects for 2017-18 include:

- The Knox Central Project (\$8.085 million);
- Stamford Park Redevelopment (\$7.645 million);
- Building Early Years Hubs at Bayswater and Wantirna South (\$18.835 million);
- Redevelopment of The Basin Neighbourhood House (\$2.500 million);
- Ongoing maintenance of community buildings (\$5.100 million);
- Construction of the Henderson Road Bridge (\$0.500 million);
- Continued investment in local road network (\$8.000 million); and
- Continued investment in community open space (\$6.682 million).

The Annual Budget 2017-18 is premised on an increase in total general rates income (including the Residential Garbage Charge) of 2.00% for 2017-18 in accordance with the rate cap requirements of the State Government in as per Section 185A to 185G of the Act. Council has implemented user fees and charges increases that are both manageable and sustainable for its community.

The Annual Budget 2017-18 comprises the Budgeted Financial Statements and the Fees and Charges Schedule for the financial year ending 30 June 2018 (refer Appendix A).

The Rating Strategy 2017-18 (refer Appendix B) documents Council's objectives and approach to the raising of rate revenue in line with its goal of providing transparency and accountability in its decision-making. The Strategy is the method by which Council systematically considers factors of importance that informs its decisions about the rating system.

10.2 Annual Budget 2017-18 (cont'd)

3. CONSULTATION

In accordance with Section 129 of the Act, Council publicly advertised the Proposed Annual Budget 2017-18 inviting the community to make submissions. A public notice was placed in the Knox Leader newspaper.

4. ENVIRONMENTAL/AMENITY ISSUES

The Annual Budget 2017-18 recognises the leadership role Council has within the community to actively address the impacts of sustainability and to facilitate other levels of government and the community to act in a similar vein.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The Annual Budget 2017-18 has been prepared in accordance with the Local Government Act 1989, the Local Government (Planning and Reporting) Regulations 2014 and relevant Australian Accounting Standards.

The Annual Budget 2017-18 accords with the financial frameworks established by Council in its Long Term Financial Forecast.

6. SOCIAL IMPLICATIONS

The Annual Budget 2017-18 contains resourcing for a wide range of programs to deliver important community services to the Knox community.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The Annual Budget 2017-18 contains Council's Annual Plan for the 2017-18 financial year and outlines the major activities and initiatives Council will undertake during the year to progress towards achievement of the Community and Council Plan 2017-21.

8. CONCLUSION

The Annual Budget 2017-18 forms an integral part of Council's overall strategic planning framework and endeavours to resource the directions that have been established in the Community and Council Plan 2017-21.

9. CONFIDENTIALITY

This report does not contain any confidential information.

10.2 Annual Budget 2017-18 (cont'd)**COUNCIL RESOLUTION****MOVED: CR. KEOGH****SECONDED: CR. HOLLAND**

That Council

1. Note the submissions received in response to the Proposed Annual Budget 2017-18, thank the submitters and provide a written response notifying submitters of the decision and the reason for the decision in accordance with Section 223(1)(d) of the *Local Government Act 1989*;
2. Adopts the Annual Budget 2017-18 provided in Appendix A with the following amendment;
 - a) Remove the Knox Regional Netball Centre Child Minding Fee from the 2017-18 Fees and Charges Schedule, noting the immaterial budget impact.
3. Authorise the Chief Executive Officer to give public notice of this decision in accordance with Section 29 of the *Local Government Act 1989*;
4. Submit a copy of the Adopted Budget 2017-18 to the Minister for Local Government in accordance with Section 130(4) of the *Local Government Act 1989*;
5. Adopt the Rating Strategy 2017-18 provided in Appendix B;
6. Declare the Rates, Levies and Annual Service Charges for the 2017-18 financial year provided in Appendix C;
7. Grant a rebate in relation to rates and charges to all Knox City Council residents eligible within the meaning of the *State Concessions Act 1986*. The maximum rebate is \$100.00;
8. Declare and grant a rebate, to be known as the Cultural and Recreational Community Land Rebate (refer Appendix C - Schedule A), to each owner of rateable Recreation Land. The rebate in respect of each rateable land so owned is a maximum of 35% of the general rates payable; and
9. Declare and consider a rebate, to be known as the Community Benefit Land Rebate (refer Appendix C - Schedule A), to each owner of eligible Community Benefit Land. The rebate in respect of each rateable land so owned is a maximum of 75% of the general rates payable.

CARRIED

10.2 Annual Budget 2017-18 (cont'd)

APPENDIX A – Annual Budget 2017-18;

APPENDIX B – Rating Strategy 2017-18; and

APPENDIX C – 2017-18 Declaration of Rates, Charges and Rebates

are circulated under separate cover.

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ALL WARDS**10.3 INSTRUMENT OF DELEGATION TO THE CHIEF EXECUTIVE OFFICER**

SUMMARY: *Governance Officer (Kirstin Ritchie)*

This report presents a revised Instrument of Delegation to the Chief Executive Officer in accordance with section 98(6) of the Local Government Act 1989.

RECOMMENDATION

In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instrument of delegation, Knox City Council (Council) resolves that -

1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer (Appendix A), subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
5. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.
6. That the instrument is signed and sealed in accordance with the provisions of the Meeting Procedure and Use of Common Seal Local Law 2008.

1. INTRODUCTION

Section 98 of the Local Government Act 1989 empowers Council to delegate any of its powers, duties or functions with some strategic exemptions such as setting rates, borrowing funds and adopting a budget. It is widely accepted that delegations are necessary to facilitate effective functioning of Councils as they enable day-to-day decisions to be made in relation to routine administrative and operational matters.

10.3 Instrument of Delegation to the Chief Executive Officer (cont'd)

Section 98(6) of the Local Government Act requires a Council to review within the period of 12 months after a general election, all delegations which are in force and have been made by the Council under Section 98(1).

It is considered appropriate to commence the review process by reviewing the delegation from Council to the Chief Executive Officer.

The existing Instrument of Delegation to the Chief Executive Officer has been in force since 28 May 2013.

2. DISCUSSION

The proposed Instrument of Delegation to the Chief Executive Officer, attached as Appendix A, is based on the template provided by local government solicitors, Maddocks Lawyers, as part of their Authorisation and Delegations service.

Maddocks Lawyers, promote the adoption of an instrument of delegation that is enabling rather than prescriptive in nature. The schedule to the attached instrument is consistent with this principle. The proposed instrument outlines the power of the Chief Executive Officer to determine any issue, take any action or do any act or thing arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Further, the schedule restricts delegation where an issue, action, act or thing is:

- Required by law to be done by Council resolution;
- Designated by Council to be subject to the resolution of Council;
- Inconsistent with a policy or strategy adopted by Council;
- Not the subject of a lawful delegation; or
- Already the subject of exclusive delegation to another member of Council staff.

In granting delegations, Council is not granting unfettered power to the Chief Executive Officer or relinquishing its own powers. A delegate must comply with the conditions of delegation as well as any policies of Council and any legislative framework. Further Council can still exercise any delegated power, duty or functions itself by resolution in the Chamber.

After consultation with senior management, two changes are proposed to the existing Instrument of Delegation to the Chief Executive Officer. The first relates to the awarding of multi-year contracts and places a limit of five consecutive years; previously no limit existed. The second is the deletion of section 5 from the existing instrument and, consequently, the addition of clause 4.17, 4.18 and 4.19.

10.3 Instrument of Delegation to the Chief Executive Officer (cont'd)

Clause 4.17 enables the Chief Executive Officer to waive debt up to the maximum amount of \$10,000. Currently, this power is not delegated resulting in all requests for waivers having to be endorsed by Council. As the majority of debts are minor the cost of reporting and managing these debts, as well as the costs of printing, postage and staff time can exceed the amount of debt being waived. The \$10,000 threshold is consistent with current practice in the sector and has considered Knox Council's current debt profile.

Clause 4.18 enables the Chief Executive Officer to impose, reduce, alter or waive a fee or charge, including interest, which the Council may lawfully impose up to a maximum amount of \$5,000. Currently, this power is not delegated resulting in all requests for waivers having to be endorsed by Council.

Clause 4.19 prevents the Chief Executive officer from determining an issue, take the action or do the act or thing relating to the disposal of any land for any unpaid rates or charges. As this power is not delegated, it must always be subject to a Council resolution.

Clause 7 of the instrument states that the Chief Executive Officer must not determine any issue, take an action or do the act or thing if it would or would likely involve a decision that is inconsistent with a policy or strategy adopted by Council. It is therefore considered that the proposed inclusions of clause 4.17, 4.18 and 4.19 along with clause 7 provides the ability to respond to changes in policy over time without specific imposed limitations on the Chief Executive Officer's ability to determine any issue or take any action.

3. CONSULTATION

Council subscribes to the Maddocks Authorisations and Delegations Service, which provides advice regarding legislative amendments and template instruments, which are then tailored to organisational requirements. The proposed instrument has been prepared based on the advice provided by Maddocks Lawyers.

Consultation has occurred with relevant staff during the preparation of the revised Instrument of Delegation to the Chief Executive Officer, to ensure that they reflect current business processes.

Officers conducted benchmarking of the sector in relation to the financial limits contained in the Instrument of Delegation. The proposed instrument has also been the subject of discussion by Councillors at an Issues Briefing held on 8 March 2017. Feedback from this discussion has been incorporated into the revised Instrument of Delegation at Appendix A.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

10.3 Instrument of Delegation to the Chief Executive Officer (cont'd)**5. FINANCIAL & ECONOMIC IMPLICATIONS**

The costs to prepare and adopt the Instrument of Delegation to the Chief Executive Officer are minimal and will be met within the current department budget.

6. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

7. RELEVANCE TO COUNCIL PLAN

By reviewing this instrument, Council is meeting its statutory obligations and able to streamline routine administrative matters whilst ensuring the highest level of accountability in the process.

8. CONCLUSION

The form and content of the revised Instrument of Delegation to the Chief Executive Officer at Appendix A is consistent with the instruments adopted by most Councils throughout Victoria and facilitates the effective functioning of Knox City Council.

It is therefore recommended that Council sign and seal the revised Instrument of Delegation to the Chief Executive Officer as appended to this report.

9. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

COUNCIL RESOLUTION

MOVED: CR. LOCKWOOD

SECONDED: CR. TAYLOR

In the exercise of the powers conferred by section 98(1) of the Local Government Act 1989 (the Act) and the other legislation referred to in the attached instrument of delegation, Knox City Council (Council) resolves that -

- 1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer (Appendix A), subject to the conditions and limitations specified in that Instrument.**
- 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.**

10.3 Instrument of Delegation to the Chief Executive Officer (cont'd)**Resolution (cont'd)**

3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
5. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.
6. That the instrument is signed and sealed in accordance with the provisions of the Meeting Procedure and Use of Common Seal Local Law 2008.

CARRIED

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APPENDIX A

Instrument of Delegation to the Chief Executive Officer

In exercise of the power conferred by section 98(1) of the Local Government Act 1989 (**the Act**) and all other powers enabling it, the Knox City Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in Schedule of this Instrument of Delegation.

AND declares that

1. This Instrument of Delegation is authorised by a Resolution of Council passed on 26 June 2017.
2. The delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to the Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

THE COMMON SEAL of KNOX CITY COUNCIL

was affixed pursuant to an Order of the Council made on the 26 June 2017 in the presence of

Mayor

Chief Executive Officer

Councillor

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

4. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 4.1. awarding a contract exceeding the value of:
 - 4.1.1. \$1,000,000 (including GST) for a single transaction; or
 - 4.1.2. in the case of a multi-year contract, \$500,000 (including GST) per annum for each year of the contract, up to 5 consecutive years;

whichever is the greater;
 - 4.2. the making, amendment or revocation of any Local Law under Part 5 of the Act;
 - 4.3. approval of the Council Plan under s. 125 of the Act;
 - 4.4. adoption of the Strategic Resource Plan under s 126 of the Act;
 - 4.5. preparation or adoption of a Budget or a Revised Budget under Part 6 of the Act;
 - 4.6. adoption of the Auditors report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
 - 4.7. determining pursuant to s 37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.8. exempting a member of a special committee who is not a Councillor, from submitting a return under section 81 of the Act;
 - 4.9. appointment of Councillor or community delegates or representatives to external organisations;
 - 4.10. the return of the general valuation and any supplementary valuations;
 - 4.11. changes to the manner in which Council holds its elections;
 - 4.12. the entering into of any contract for the sale, purchase or exchange of land with or without consideration (but not one relating to the disposal of any land for unpaid rates or charges);

- 4.13. the formation, operation or membership of or by the Council in any Corporation, trust, partnership or any other body or business for an entrepreneurial purpose, or the participation in any other entrepreneurial activity capable of being conducted so as to directly or indirectly benefit the Council;
 - 4.14. the establishment of any special committee or advisory committee of the Council;
 - 4.15. the establishment of any regional corporation of which the Council is intending to become a member;
 - 4.16. noting declarations of impartiality by valuers pursuant to section 13DH(2) of the Valuation of Land Act 1960;
 - 4.17. the waiving of a single debt above the value of \$10,000;
 - 4.18. the imposition, reduction, alteration or waiver of any fee or charge, including interest which the Council may lawfully impose, above the value of \$5,000; or
 - 4.19. the disposal of any land for any unpaid rates or charges.
5. If the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
 6. If any issue, action, act or thing is an issue, action, act or thing which Council has previously designated as an issue, action, act or thing which must be subject to the resolution of Council;
 7. If the determining of the issue, the taking of the action, or doing of the act or thing, would or would be likely to involve a decision which is inconsistent with a
 - 7.1. policy; or
 - 7.2. strategyadopted by Council; or
 8. If the determining of the issue, the taking of the action or doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 9. The determining of the issue, the taking of the action or doing of the act or thing already the subject of exclusive delegation to another member of Council staff.

SCOTT WARD**10.4 PROPOSED SALE OF 2R MOWBRAY DRIVE, WANTIRNA SOUTH – APPOINTMENT OF COMMITTEE OF COUNCIL**

SUMMARY: *Coordinator Property Management (Angela Mitchell)*

This report seeks to appoint two Councillors to the Committee of Council to hear submissions on Monday, 10 July 2017 relating to the proposed sale of 2R Mowbray Drive, Wantirna South.

RECOMMENDATION

That Council appoint Cr _____ and Cr _____ to consider submissions at 5.00pm on 10 July 2017 in relation to the proposed sale of 2R Mowbray Drive, Wantirna South.

1. INTRODUCTION

Council at its meeting on 22 May 2017 resolved to appoint Cr Seymour, Cr Cooper and Cr Gill to hear submissions for the proposed sale of 2R Mowbray Drive, Wantirna South. Cr Cooper and Cr Gill are not able to attend this meeting. This report seeks to appoint two Councillors to this Committee of Council.

2. DISCUSSION

Council, at its meeting on 22 May 2017, resolved:

“That Council, being of the opinion that the property known as 2R Mowbray Drive, Wantirna South and currently identified as Reserve 2 on Plan of Subdivision 120186 contained within Certificate of Title Volume 9316 Folio 649, as shown on attached plan as Appendix A (Subject Land), is surplus to Council’s requirements:

1. Proceed to remove the reserve status from the Subject Land pursuant to Section 24A of the Subdivision Act 1988.
2. Commence the statutory process, under Section 189 of the Local Government Act 1989, to sell the Subject Land to the owner of 1342-1344 High Street Road, Wantirna South by private treaty for no less than a value determined by an independent valuer appointed by Council plus GST (plus Council’s costs in relation to this sale).
3. Under Section 223 of the Local Government Act 1989, give public notice of the proposed sale of the Subject Land in the Knox Leader newspaper.
4. Hear submissions in accordance with Section 223(1)(b) of the Local Government Act 1989 and appoint the following Committee of Council comprising Cr Seymour, Cr Cooper and Cr Gill to consider submissions at 5.00pm on 10 July 2017.
5. That a further report be presented to Council following the conclusion of the statutory process.”

10.4 Proposed Sale of 2R Mowbray Drive, Wantirna South – Appointment of Committee of Council (cont'd)

The statutory notice advising the date, time and place for hearing of submissions was placed in the Leader on Tuesday, 30 May 2017.

As two Councillors are unable to attend the advertised submissions hearing date it is required that two further Councillor nominations be sought.

3. CONSULTATION

Consultation has been undertaken with Cr Gill and Cr Cooper.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial and economic implications associated with this report.

6. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

This report relates to:

- Theme 5: Democratic and Engaged Communities
 - 5.3 Ensure Council is well governed and demonstrates effective leadership.
 - 5.3.1 Maintain accountable and transparent governance practices, and Council's sound stewardship of the community's finances and assets.

8. CONCLUSION

The statutory notice for the proposed sale of 2R Mowbray Drive, Wantirna South identified that submissions will be heard by a Committee of Council. As two of the three nominated Councillors are unable to attend, it is recommended that Council appoint two Councillors to attend the submissions hearing at 5.00pm on 10 July 2017.

10.4 Proposed Sale of 2R Mowbray Drive, Wantirna South – Appointment of Committee of Council (cont'd)**9. CONFIDENTIALITY**

There are no confidential issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. COOPER

SECONDED: CR. HOLLAND

That Council appoint Cr. Holland and Cr. Taylor to consider submissions at 5.00pm on 10 July 2017 in relation to the proposed sale of 2R Mowbray Drive, Wantirna South.

CARRIED

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COLLIER WARD**10.5 PROPOSED SALE OF COUNCIL PROPERTY – 62 BRENTWOOD DRIVE, WANTIRNA (MELWAY REF: 63 K8)**

SUMMARY: *Coordinator Property Management (Angela Mitchell)*

The property at 62 Brentwood Drive, Wantirna (vacant land) has been assessed as surplus to Council's requirements in accordance with Council's Sale of Land and Buildings Policy. This report recommends that Council gives notice of its intention to commence the statutory process to sell this property by public auction.

RECOMMENDATION

That Council, being of the opinion that the property known as 62 Brentwood Drive, Wantirna and currently identified as Reserve 2 on LP 096422 and contained within Certificate of Title Volume 9031 Folio 834 as shown on the attached plan as Appendix A (subject land), is surplus to Council's requirements:

1. Commence the statutory process, under Section 189 of the Local Government Act 1989, to sell the Subject Land by public auction and that under Section 223 of the Local Government Act 1989, give public notice of the proposed sale of the subject land in the Knox Leader.
2. Hears submissions in accordance with Section 223(1)(b) of the Local Government Act 1989 and appoint the following Committee of Council comprising Cr _____, Cr _____ and Cr _____ to consider submissions on Monday 21 August at 5.00pm.
3. Receives a further report at the conclusion of the statutory process.

1. INTRODUCTION

The land at 62 Brentwood Drive, Wantirna was created as Reserve 2 on LP 096422 for municipal purposes. The site is vacant and is surrounded by residential properties. The subject land currently identified as LP 096422 and contained within Certificate of Title Volume 9031 Folio 834 and known as 62 Brentwood Drive, Wantirna is rectangular in shape and has an overall area of 375m².

This land was transferred to Council in 1973 in accordance with Section 569B(1) of the Local Government Act 1958.

Prior to the sale of any property, the Sale of Land and Buildings Policy requires that land with 'a reservation on title' will have this restriction removed through the issue of a planning permit and certified plan of subdivision pursuant to Section 24A of the Subdivision Act 1988. The removal of the reserve (for municipal purposes) on this site will create an unencumbered parcel of land. This process is currently underway.

10.5 Proposed Sale of Council Property – 62 Brentwood Drive, Wantirna (cont'd)

2. DISCUSSION

62 Brentwood Drive, Wantirna has been in Council ownership since 1973 and has remained as a vacant site. The site has an area of 375m².

One of Council's core responsibilities is to manage its assets in order to optimise their value to the community. Part of this responsibility involves evaluating any unused or redundant assets and releasing the funds tied up in these assets in order to acquire, develop or improve other assets. The subject land is an example of resources tied up in an asset which Council can deploy in other areas of priority.

2.1 Assessment against Criteria for Sale of Land and Buildings

In accordance with Council's Sale of Land and Buildings Policy, consideration will be given to a number of criteria in order to ensure that the proposed disposal of this property is in the community's best interests prior to resolving to proceed with the public consultation process.

An assessment of these criteria has been undertaken and is listed as follows:

ENVIRONMENTAL

Principle:	Council will sell surplus land where retention will not enhance or protect its environmental value.
Assessment:	62 Brentwood Drive, Wantirna has not been identified in any study as a Site of Biological Significance with no vegetation protection overlays. The site is vacant land with one tree that is able to be removed.

PHYSICAL WORKS

Principle:	Council will sell surplus land where it is not required in the foreseeable future for the development of new assets or the improvements of existing assets.
Assessment:	The site is currently not serviced. In accordance with planning permit conditions and prior to the issue of a Statement of Compliance and the sale process, the following will be undertaken: <ol style="list-style-type: none"> 1. A vehicle crossing shall be constructed to service the lot. 2. Enter into an agreement with South East Water for the provision of potable water supply and fulfil all requirements to the satisfaction of South East Water. 3. Enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements. 4. Stormwater discharge from the property is to be directed to the Council stormwater pit in the road reserve near the south east corner of the property to Council's standards and satisfaction.

10.5 Proposed Sale of Council Property – 62 Brentwood Drive, Wantirna (cont'd)

RECREATION

Principle:	Council will sell surplus land where it is not required in the foreseeable future for recreational purposes.
Assessment:	62 Brentwood Drive, Wantirna has not been identified in the Knox Open Space Plan. The local area is considered to be served well by recreational facilities and services.

LAND USE PLANNING

Principle:	Council will sell surplus land where there are not compelling land use planning grounds for retention.
Assessment:	There are no compelling land use planning grounds for the retention by Council of 62 Brentwood Drive, Wantirna.

SOCIAL

Principle:	Council will sell surplus land where alternative social uses have not been identified.
Assessment:	<p>The Knox Affordable Housing Action Plan 2015-2020 (KAHAP) outlines the roles of Council in increasing the supply of affordable and social housing in Knox as a planner, provider, partner and advocate.</p> <p>Council as a 'partner' seeks to develop constructive partnerships to increase the supply of affordable housing in Knox by collaborating with the community/registered housing sector or developers to encourage development opportunities that create affordable and social housing outcomes. Council's policies and processes support the development of affordable/social housing. Council's policy on the disposal of Council land enables consideration of affordable/social housing outcomes for sites suitable for residential development. This site is suitable for residential development.</p> <p>There are no other social uses identified for this site.</p>

2.2 Land Use Zoning

The current zoning of 62 Brentwood Drive, Wantirna is General Residential Zone 2 (GRZ2) under the Knox Planning Scheme. There are no overlays affecting this land. This zoning is consistent with the surrounding area.

2.3 Affordable/Social Housing

The Knox Affordable Housing Action Plan 2015-2020 outlines the role of Council in providing Affordable Housing in the Municipality. Council's role as a provider of such housing proposes that Council "*consider providing surplus land, building, capital or other in-kind resources to assist the development of affordable housing.*" This site may be considered for affordable housing by an appropriate provider.

10.5 Proposed Sale of Council Property – 62 Brentwood Drive, Wantirna (cont'd)

2.4 Method of Sale

Council's policy on the Sale of Land and Buildings provides that the sale will occur through a public process unless Council resolves that circumstances exist that justify an alternative method of sale.

The policy also provides that the public process be selected from the options of public auction, public tender or registration of expressions of interest and will be determined by the Chief Executive Officer on recommendation from the Director Corporate Development and be based on achieving the optimum economic return to Council.

In considering the method of sale, Council should consider that this property be sold by public auction. Given the location and size of this site, a public auction method of sale is likely to achieve an optimum economic return for Council. A public auction allows for a transparent and public process irrespective of who should purchase the land.

3. CONSULTATION

Council will undertake a public consultation program in order to fulfil both its statutory and community engagement obligations.

The consultative process covers the following measures:

- Pursuant to section 189 of the Local Government Act 1989, Council will place a public notice in a newspaper which is generally circulating within the municipality.
- The public notice will invite submissions on the proposal to sell the land.
- Submissions will be considered by Council pursuant to section 223 of the Local Government Act 1989.
- Submitters have the opportunity to be heard, in person, in support of any written submission they make should they desire to do so.
- Following consideration of the Committee's report, Council will then decide whether to proceed with its proposal to sell the land.

It is also proposed to send a copy of the public notice to residents immediately surrounding the property.

4. ENVIRONMENTAL/AMENITY ISSUES

The site contains no vegetation. Amenity issues such as impact on neighbouring properties and landscaping will be considered as part of any future planning permit process when the land is proposed to be developed.

10.5 Proposed Sale of Council Property – 62 Brentwood Drive, Wantirna (cont'd)

5. FINANCIAL & ECONOMIC IMPLICATIONS

The proposed disposal of 62 Brentwood Drive, Wantirna will meet Council's financial objectives and provide significant proceeds from the proposed sale of this asset. Any costs associated with the proposed sale eg connection of services, agent's fees etc will be deducted from the funds received from the proposed sale.

Whilst this land was acquired as a reserve for municipal purposes under the Local Government Act 1958, it is not considered that the land constitutes 'public open space' within the definition of Section 3 of the Subdivision Act 1988. Accordingly, there are no limitations on the distribution of the proceeds of the sale.

A confidential valuation dated 8 June 2017 is attached as Appendix B. A reserve price will be determined in accordance with Council's policy prior to the sale process.

6. SOCIAL IMPLICATIONS

These are addressed in the assessment criteria set out earlier in this report.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

This report relates to:

- Theme 5: Democratic and Engaged Communities
 - 5.3 Ensure Council is well governed and demonstrates effective leadership.
 - 5.3.1 Maintain accountable and transparent governance practices, and Council's sound stewardship of the community's finances and assets.

8. CONCLUSION

As this property has been assessed as surplus to Council's requirement, it is an opportunity to divest this property and convert the funds received to deliver community outcomes in another area of priority.

It is therefore recommended that Council commence the statutory process to sell 62 Brentwood Drive, Wantirna currently identified as Reserve 2 on LP 96422 and contained within Certificate of Title Volume 9031 Folio 834.

10.5 Proposed Sale of Council Property – 62 Brentwood Drive, Wantirna (cont'd)**9. CONFIDENTIALITY**

A confidential valuation is attached to this report.

COUNCIL RESOLUTION

MOVED: CR. TAYLOR

SECONDED: CR. KEOGH

That Council, being of the opinion that the property known as 62 Brentwood Drive, Wantirna and currently identified as Reserve 2 on LP 096422 and contained within Certificate of Title Volume 9031 Folio 834 as shown on the attached plan as Appendix A (subject land), is surplus to Council's requirements:

1. Commence the statutory process, under Section 189 of the Local Government Act 1989, to sell the Subject Land by public auction and that under Section 223 of the Local Government Act 1989, give public notice of the proposed sale of the subject land in the Knox Leader.
2. Hears submissions in accordance with Section 223(1)(b) of the Local Government Act 1989 and appoint the following Committee of Council comprising Cr. Taylor, Cr. Cooper and Cr. Holland to consider submissions on Monday 21 August at 5.00pm.
3. Receives a further report at the conclusion of the statutory process.

CARRIED

10.5 Proposed Sale of Council Property – 62 Brentwood Drive, Wantirna (cont'd)

APPENDIX A – Proposed Sale of Council Property – 62 Brentwood Drive, Wantirna



10.5 Proposed Sale of Council Property – 62 Brentwood Drive, Wantirna (cont'd)

Confidential Appendix B is circulated under separate cover.

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TIRHATUAN WARD**10.6 PROPOSED SALE OF COUNCIL PROPERTY – PART WELLINGTON ROAD RESERVE AND PART 889R WELLINGTON ROAD, ROWVILLE**

SUMMARY: *Coordinator Property Management (Angela Mitchell)*

This report recommends that Council initiates the statutory process for the proposed sale of 2.311 hectares of Council owned land being part Wellington Road Reserve and part 889R Wellington Road, Rowville (Council Land) as shown in Appendix A. The Council Land proposed for sale has been assessed as surplus to Council's requirements in accordance with Council's Sale of Land and Buildings Policy.

This report further recommends that Council gives notice of Council's intention to sell the Council Land to the Pask Group (Pask) as developer of the adjoining Kingston Links golf course (Kingston Links) at 14 Corporate Drive, Rowville by private treaty.

RECOMMENDATIONS

That Council, having assessed that 2.311 hectares of Council land comprised in part Wellington Road Reserve and part 889R Wellington Road, Rowville is surplus to Council's requirements, resolves to:

1. In accordance with Section 189 of the *Local Government Act 1989*, give public notice in the Knox Leader of its intention to sell an area of 2.311 hectares of Council land comprising part Wellington Road Reserve and part 889R Wellington Road, Rowville (contained in Certificate of Title Volume 10284 Folio 966 and Certificate of Title 9781 Folio 749) by private treaty to the Pask Group for a sale price of \$7.6 million plus GST.
2. In accordance with Section 223 of the *Local Government Act 1989*, invite submissions from the public in respect of the intention to sell the Council Land.
3. Authorise the Coordinator Property Management to carry out the administrative procedures necessary to enable Council to perform its functions under Section 223 of the *Local Government Act 1989*.
4. Appoints Cr _____, Cr _____ and Cr _____ to hear submissions in accordance with Section 223 of the *Local Government Act 1989* on Monday 28 August 2017 at 5.00pm and a further report presented to Council if submissions are received.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)

Recommendation (cont'd)

5. Commence the sale process as listed below if no submissions are received:
 - a. The Council Land will be sold to Pask by private treaty for a sale price of \$7.6 million plus GST, payable by 10% deposit and the balance due at settlement. Settlement is to occur on the later of 60 days after gazettal of planning scheme amendment C142, and creation of a separate title for the Council Land, provided that such settlement is no earlier than 31 January 2019.
 - b. The sale will be conditional upon the following:
 - Registration of a Section 24A plan under the Subdivision Act 1988 vesting part of the Council Land in Council and registration of a further such plan removing the reserve status from the Council Land and creating a separate title for such land.
 - The gazettal of planning scheme amendment C142 by no later than 30 June 2019.
 - c. Delegated authority is given to the Chief Executive Officer to negotiate and finalise the relevant terms and conditions of sale and all associated documentation and to execute the same.

1. INTRODUCTION

Pask as developer of Kingston Links has proposed a redevelopment for a mix of residential, small-scale commercial, and public uses.

Council officers have undertaken a collaborative approach to the review of the application for the proposed development of Kingston Links, which requires a proposed rezoning, combining input across Council and State Government agencies with extensive discussions with Pask. An important goal of this process has been to reach broad consensus between all parties on the outcomes for Kingston Links. The proposed rezoning is the subject of a separate report to Council entitled "Amendment C142 – Kingston Links Golf Course" to be considered at this Council meeting.

This has included an "in principle" agreement with Pask as to the terms of a proposed Development Contributions Agreement (DCA) to be in the form of a section 173 agreement to be recorded on the title to Kingston Links. The DCA will be binding on all future owners of Kingston Links if Pask sought to sell the whole or substantive parts of Kingston Links.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)

The DCA proposes a package of community infrastructure contributions, which includes new sporting fields and associated pavilion, a contribution to support the delivery of new social housing in Rowville, contribution towards a new Men's Shed and a new pedestrian crossing of the Corhanwarrabul Creek.

The proposed DCA also includes proposed terms for the sale of the Council Land to Pask by private treaty, subject to Council's compliance with Sections 189 and 223 of the Local Government Act 1989 and resolving whether or not to sell the Council Land to Pask.

Kingston Links and the Council Land, are both currently zoned Special Use Zone (SUZ1) and are subject to Inundation Overlay (LSIO) as part of the floodplain for the Corhanwarrabul Creek and Rowville Main Drain catchments.

The planning report and associated Amendment C142 proposes to rezone all of Kingston Links and the Council Land for residential and public uses, remove the LSIO from areas that would be raised out of the floodplain, and apply a new Schedule 13 to the Development Plan Overlay. Should Council agree to sell the Council Land as proposed within this report, the sale would be conditional upon such a rezoning.

One of Council's core responsibilities is to manage its assets in order to optimise their value to the community. Part of this responsibility involves evaluating any unused or redundant assets and releasing the funds tied up in these assets in order to acquire, develop or improve other assets. The Council Land is an example of resources tied up in an asset which Council can better deploy in other areas of priority for the reasons outlined in this report.

2. DISCUSSION

The Council Land is located near Linnel Court at the southeast corner of Kingston Links. It currently has no road access, but does have pedestrian access via the Council-owned lot at 12 Linnel Court. It is also part of the Rowville Main Drain floodplain. It floods periodically and is currently subject to the existing LSIO. There are a few isolated trees at the edge of the parcel, but it is mostly grassy vegetation that Council mows a few times each year. It is currently zoned SUZ1, the same as Kingston Links, and not currently used for public recreation.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)

The sale of this land supports the development of new active open space facilities at the far western edge of Kingston Links, on the site of the current driving range. This area is large enough to accommodate two soccer pitches with an overlaid oval and a multi-use pavilion. It has high visibility to EastLink and is located closer to the Wellington Road entrance, which could allow direct access without sending additional traffic through the new neighbourhoods on Kingston Links. It is also within easy walking distance to the proposed mixed-use areas, where small-scale commercial development could be complementary to the public uses of the sports facilities. There is an existing car park adjacent to the proposed active open space site that could be repurposed for use by the sports precinct.

2.1 Assessment against Criteria for Sale of Land and Buildings

In accordance with Council's policy on the Sale of Land and Buildings, consideration has been given to a number of criteria in order to ensure that the proposed disposal of this Council Land is in the community's best interests prior to resolving to proceed with the public consultation process.

An assessment of these criteria follows:

Environmental

Principle:	Council will sell surplus land where retention will not enhance or protect its environmental value.
Assessment:	The Council Land has not been identified in any study as a Sites of Biological Significance.

Physical Works

Principle:	Council will sell surplus land where it is not required in the foreseeable future for the development of new assets or the improvements of existing assets.
Assessment:	The Council Land is currently landlocked, it floods periodically and is subject to the existing LSIO. It has not been identified as an area for future development. The sale of the Council Land facilitates the potential for Council assets to be relocated to a more appropriate location within Kingston Links.

Recreation

Principle:	Council will sell surplus land where it is not required in the foreseeable future for recreational purposes.
Assessment:	The Council Land was assessed for possible public open space uses as part of the coordination process around the rezoning and redevelopment application. The strategic case for active open space on the Council Land is not a strong one. In addition, its location at the far end of Kingston Links would make access more difficult than other parts of Kingston Links. Any intensive uses of Kingston Links have the potential to cause congestion, parking, and amenity impacts on Linnel Crescent.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)

Land Use Planning

Principle:	Council will sell surplus land where there are not compelling land use planning grounds for retention.
Assessment:	There are no compelling land use planning grounds for the retention by Council of the Council Land proposed for sale.

Social

Principle:	Council will sell surplus land where alternative social uses have not been identified.
Assessment:	<p>The Knox Affordable Housing Action Plan 2015-2020 (KAHAP) outlines the roles of Council in increasing the supply of affordable and social housing in Knox as a planner, provider, partner and advocate.</p> <p>Council as a 'partner' seeks to develop constructive partnerships to increase the supply of affordable housing in Knox by collaborating with the community/registered housing sector or developers to encourage development opportunities that create affordable and social housing outcomes. Council's policies and processes support the development of affordable/social housing. Council's policy on the disposal of Council land enable consideration of affordable/social housing outcomes for sites suitable for residential development.</p> <p>It is considered that on its own the Council land is not suitable for social housing however integrated with a broader development as proposed for Kingston Links social housing outcomes can and should be achieved. In accordance with Council's Affordable Housing Action Plan and Planning Scheme, provision is to be made as part of the proposed DCA with Pask for affordable and social housing contributions.</p>

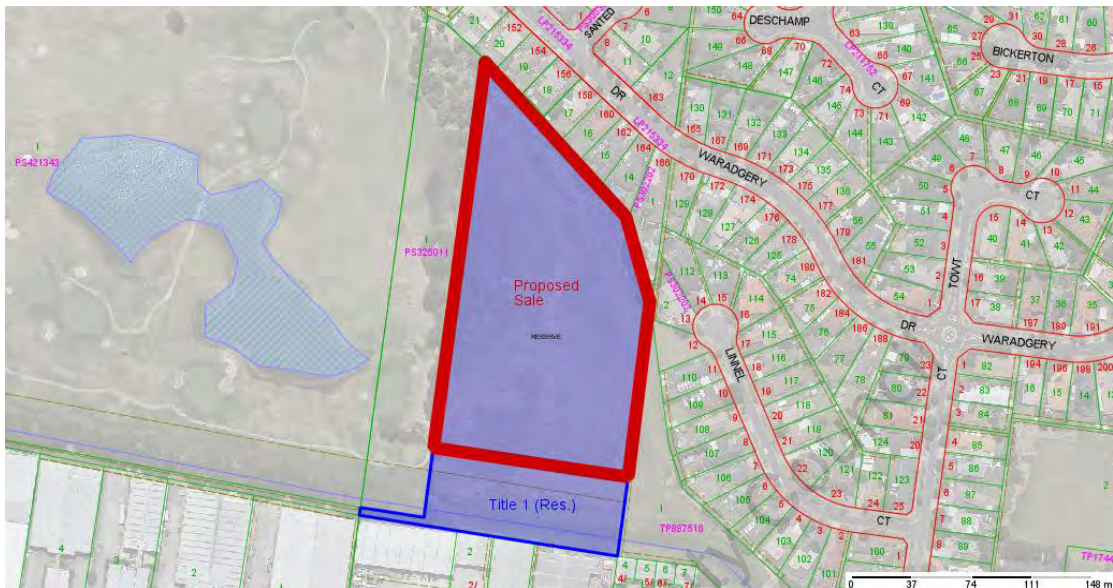
2.2 Title Particulars

The subject land forms part of two existing titles:

Title 1 (Volume 10284 Folio 966)

A substantial area of the Council Land proposed for sale forms part of Certificate of Title Volume 10284 Folio 966. It is currently reserved for public recreation on title, zoned SUZ1 and includes land subject to an LSIO. In line with Council policy and best practice, the reserve status of this part of the Council Land needs to be removed and the land rezoned prior to the sale.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)



Title 2 (Volume 9781 Folio 749)

A small wedge on the south west corner of the Council Land proposed for sale is part of a separate title that is not yet in Council's name. The land is managed and maintained by Council as part of the reserve. Planning permit no. P/2017/6057 has been issued authorising this part of the Council Land to be vested in Council and a plan pursuant to Section 24A of the *Subdivision Act 1988* has been lodged at Land Use Victoria seeking registration of the plan and the issue of a title to this part of the Council Land in Council's name.

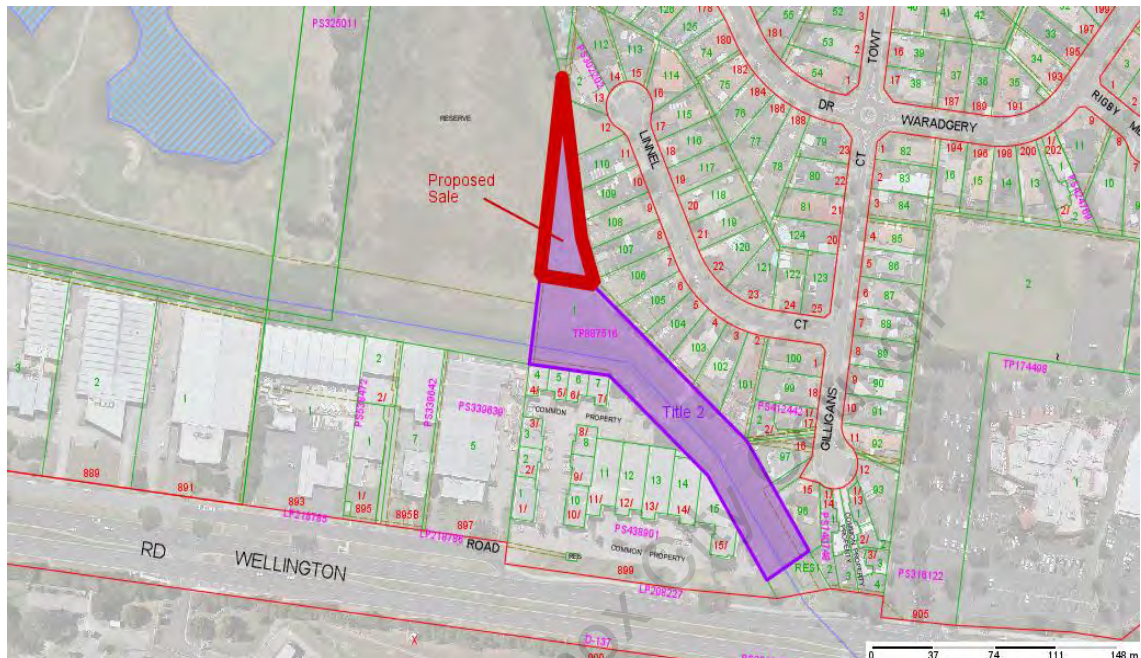
This area of land is also zoned SUZ1, which includes land that is subject to an LSIO. In line with Council policy and best practice, the land needs to be rezoned prior to sale.

Both of these issues are addressed in the planning report separately prepared for Council's consideration.

It is proposed that the sale of the Council Land will be conditional upon:

- the rezoning of Kingston Links and the Council Land to facilitate development of such land for the proposed development by Pask; and
- registration of a further plan of subdivision under the *Subdivision Act 1988* creating a separate title for the whole of the Council Land.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)



The balance of land in the reserve is to remain part of the floodplain for the Corhanwarrabul Creek and Rowville Main Drain catchments.

2.3 Section 189 and 223 of the *Local Government Act 1989*

Section 189 and 223 of the *Local Government Act 1989* specifies obligations that Council must comply with (except in certain specific circumstances not applicable in this case) if it is intended to sell Council land.

2.4 Valuation

In accordance with its statutory obligation, Council has obtained a valuation of the Council Land based on its highest and best use for low density housing. The proposed sale price reflects this market valuation.

2.5 Method of Sale

Council's policy on the Sale of Land and Buildings provides that the sale will generally occur through a public process unless Council resolves that circumstances exist that justify an alternative method of sale.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)

The recommendation of Council officers is that the Council Land be sold by private treaty to Pask as developer of the adjoining Kingston Links, for the following reasons:

- 2.5.1 The Council Land currently has no road access and only pedestrian access by means of an adjoining Council owned lot.
- 2.5.2 The proposal is to sell the Council Land for a price greater than its current market value, it is unlikely that this price could be secured by any public process of sale, having regard to the unique value of the Council Land to Pask as the developer of the largest adjoining site.
- 2.5.3 The Council Land in its current form has little or no development potential other than in association with development of Kingston Links.
- 2.5.4 The sale proposal will deliver benefits to Council and the community that could not be delivered by any other sale proposal, namely:
 - a higher standard of public open space in a more usable and accessible location within Kingston Links than can be offered on the Council Land; and
 - a better outcome will be achieved overall in respect of drainage provision for the locality, having regard to the cut and fill works that will be undertaken by Pask as part of the development of Kingston Links.

3. CONSULTATION

Council will undertake public consultation in order to fulfil both its statutory and community engagement obligations.

The consultative process covers the following measures:

- Pursuant to section 189 of the Local Government Act 1989, Council will place a public notice in a newspaper which is generally circulating within the municipality.
- The public notice will invite submissions on the proposal to sell the land.
- Submissions will be considered by Council pursuant to section 223 of the Local Government Act 1989.
- Submitters have the opportunity to be heard, in person, in support of any written submission they make should they desire to do so.
- Following consideration of the Committee's report, Council will then decide whether to proceed with its proposal to sell the land.

It is also proposed to send a copy of the public notice to residents immediately surrounding the property.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)

4. ENVIRONMENTAL/AMENITY ISSUES

There are a few isolated trees at the edge of the Council Land, but it is most grassy vegetation that Council mows a few times each year. It is currently zoned SUZ1, and is not currently used for public recreation. Amenity issues such as impact on neighbouring properties and landscaping will be considered as part of the planning permit process which is currently under consideration of Council.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The proposed disposal of part of the Council Land will meet Council's financial objectives and provide significant proceeds from the sale.

A valuation has been undertaken dated 16 June 2017 (refer confidential Appendix B). The proposed land sale price has been determined at its 'highest and best use' in accordance with Council's policy.

6. SOCIAL IMPLICATIONS

These are addressed in the assessment criteria set out earlier in this report.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The future redevelopment of the Kingston Links and the associated proposed land sale addresses a number of objectives of the City Plan across all five themes of the Knox Vision:

- Healthy, Connected Communities
- Prosperous, Advancing Economy
- Vibrant & Sustainable Built & Natural Environment
- Culturally Rich & Active Communities
- Democratic & Engaged Communities

8. CONCLUSION

The Kingston Links development has provided a unique opportunity to dispose of a portion of non-performing Council Land and achieve an outcome that delivers improved outcomes for the community. The Council Land has been assessed as surplus to Council's requirement. This is an opportunity to divest this property and convert the funds received to deliver community outcomes in other areas of priority.

It is therefore recommended that Council initiates the statutory process to give notice of Council's intention to sell the Council Land to the Pask Group by private treaty in accordance with the recommendations contained in this report.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)**9. CONFIDENTIALITY**

A confidential valuation is attached to this report.

COUNCIL RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. MORTIMORE

That Council, having assessed that 2.311 hectares of Council land comprised in part Wellington Road Reserve and part 889R Wellington Road, Rowville is surplus to Council's requirements, resolves to:

1. In accordance with Section 189 of the *Local Government Act 1989*, give public notice in the Knox Leader of its intention to sell an area of 2.311 hectares of Council land comprising part Wellington Road Reserve and part 889R Wellington Road, Rowville (contained in Certificate of Title Volume 10284 Folio 966 and Certificate of Title 9781 Folio 749) by private treaty to the Pask Group for a sale price of \$7.6 million plus GST.
2. In accordance with Section 223 of the *Local Government Act 1989*, invite submissions from the public in respect of the intention to sell the Council Land.
3. Authorise the Coordinator Property Management to carry out the administrative procedures necessary to enable Council to perform its functions under Section 223 of the *Local Government Act 1989*.
4. Appoints Cr. Seymour, Cr. Pearce and Cr. Holland to hear submissions in accordance with Section 223 of the *Local Government Act 1989* on Monday 28 August 2017 at 5.00pm and a further report presented to Council if submissions are received.
5. Commence the sale process as listed below if no submissions are received:
 - a. The Council Land will be sold to Pask by private treaty for a sale price of \$7.6 million plus GST, payable by 10% deposit and the balance due at settlement. Settlement is to occur on the later of 60 days after gazettal of planning scheme amendment C142, and creation of a separate title for the Council Land, provided that such settlement is no earlier than 31 January 2019.

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)**Resolution (cont'd)**

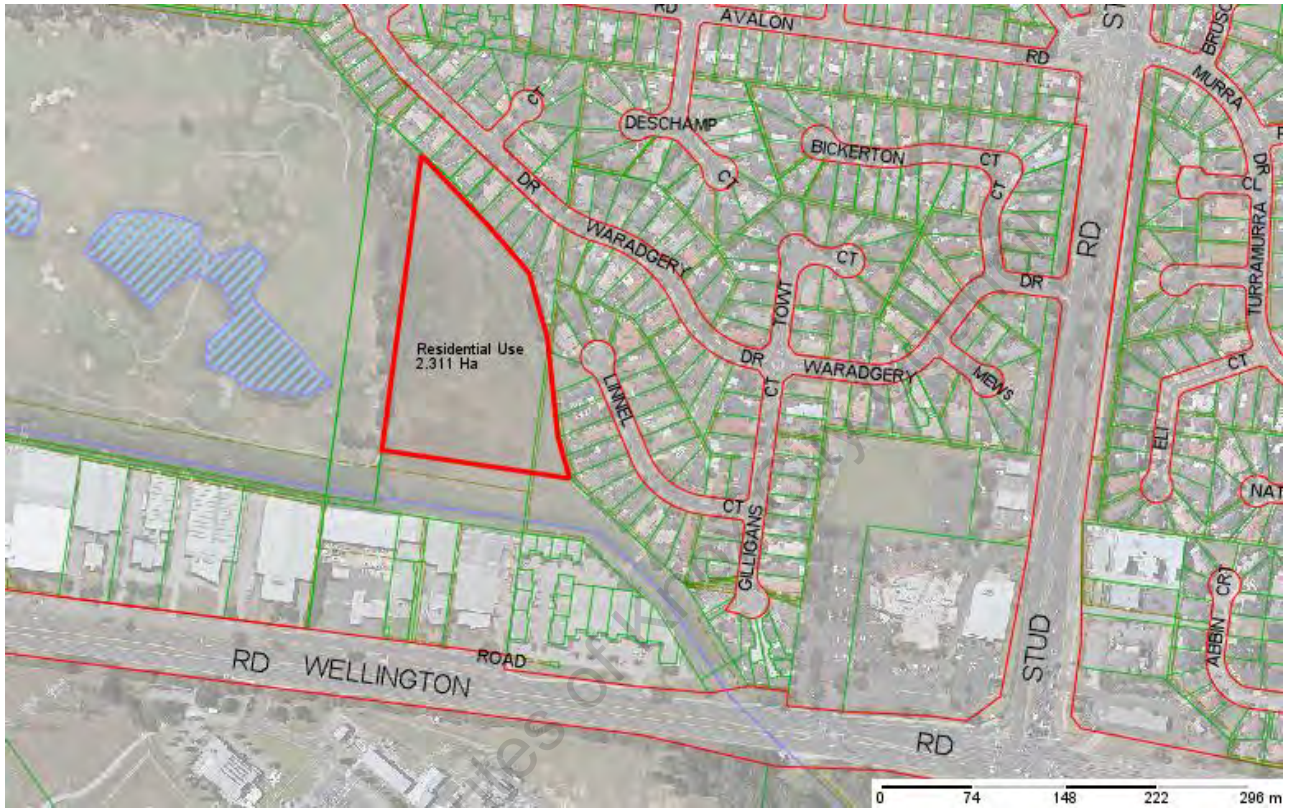
- b. The sale will be conditional upon the following:
- Registration of a Section 24A plan under the Subdivision Act 1988 vesting part of the Council Land in Council and registration of a further such plan removing the reserve status from the Council Land and creating a separate title for such land.
 - The gazettal of planning scheme amendment C142 by no later than 30 June 2019.
- c. Delegated authority is given to the Chief Executive Officer to negotiate and finalise the relevant terms and conditions of sale and all associated documentation and to execute the same.

CARRIED

Official Minutes of Knox City Council

10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)

APPENDIX A - Proposed Land Sale Map



10.6 Proposed Sale of Council Property – Part Wellington Road Reserve and Part 889R Wellington Road, Rowville (cont'd)

Confidential Appendix B is circulated under separate cover.

Official Minutes of Knox City Council

ALL WARDS**10.7 INCIDENTAL COMMUNITY GRANTS PROGRAM APPLICATIONS**

SUMMARY: *Governance Officer - (Kirstin Ritchie)*

This report summarises the recommended grants from the Incidental Community Grants Program.

All applications have been assessed against the criteria as set out in the Incidental Community Grant Program Policy.

RECOMMENDATION

That Council approve the five recommended Incidental Community Grant applications for a total value of \$4,981, and note the one application approved under delegated authority for a total value of \$500, as detailed in Appendix A.

1. INTRODUCTION

At the Ordinary Council meeting, held on 28 June 2016, Council resolved to endorse the Incidental Community Grants Program Policy (the Policy) to enable the continued provision of ad hoc one-off grants.

Under the endorsed policy the following criteria are used to determine the eligibility of applications for Incidental Community Grants:

- All requests for funding must be in writing and on the relevant funding application form; and
- Applications must be from individuals who reside in Knox or community groups that provide services to the Knox community; and
- All applications for funding must provide a demonstrated benefit to the Knox community and be in keeping with the objectives and directions of the City Plan; and
- Applications for financial donations and general fundraising activities will not be supported through the Incidental Community Grants Program; and
- The maximum grant limit is \$1,000.

This report presents to Council recommended grant allocations in accordance with this policy.

10.7 Incidental Community Grants Program Applications (cont'd)

2. DISCUSSION

Council has established the Incidental Community Grants program to ensure that funding may be provided to individuals and community groups who request ad hoc, incidental, community based, one-off grants.

The Policy sets out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the Local Government Act 1989.

In accordance with the Policy guidelines, applications for funding up to \$500 are assessed and determined under delegation. Applications for funding between \$501 and \$1,000 have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

This report outlines the grant applications received since the 22 May 2017 Ordinary Council meeting, and recommends five grants for Council's approval.

It is noted that the value requested in one application exceed the maximum permitted in the Policy. Consequently, the Chief Executive Officer's delegate has recommended that the maximum grant limit of \$1,000 be paid.

A comprehensive review of this policy is currently underway, with a report to be presented to a future Strategic Planning Committee meeting. In addition, a broader review of Council's grants programs is scheduled to be undertaken later this calendar year.

3. CONSULTATION

No consultation has been undertaken in relation to the grant applications detailed in this report as the policy specifies assessment can occur by the CEO, or delegate, for Council's determination.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The approval of incidental community grants is managed within Council's adopted budget.

10.7 Incidental Community Grants Program Applications (cont'd)**6. SOCIAL IMPLICATIONS**

The Incidental Community Grants program allows Council the flexibility to respond to requests from individual's and/or community groups within Knox at a municipal level. These grants provide applicants the opportunity to participate and support a variety of community based programs.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

Provision of the Incidental Community Grants program assists Council in meeting its general objectives under the Council Plan.

8. CONCLUSION

This report contains the recommendation for funding though the Incidental Community Grants program.

9. CONFIDENTIALITY

Confidential Appendix B contains each of the individual grant applications for Council's consideration.

COUNCIL RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. GILL

That Council approve the five recommended Incidental Community Grant applications for a total value of \$4,981, and note the one application approved under delegated authority for a total value of \$500, as detailed in Appendix A.

CARRIED

10.7 Incidental Community Grants Program Applications (cont'd)**APPENDIX A – Incidental Community Grants Applications**

Applicant Name	Project Title	Amount Requested	Amount Recommended
Hungarian Community Co-Op	Assist with the purchase of IT equipment to enhance and improve teaching methods.	\$2,284	\$1,000
Hands Off Foundation	Purchase of items (mindfulness colouring, throws, journals, stress balls) and vouchers to be included in care packages for survivors of sexual assault.	\$1,000	\$1,000
Shishukunj Melbourne	Provision of first aid training for teachers and members of organisation.	\$1,000	\$1,000
St Jude's Primary School Parents and Friends Association	Purchase of items such as Lego and board games to assist the students of St Jude's to develop a Lunch Club initiative within the school.	\$999	\$999
Mariemont Preschool	Purchase of a smock stand, sandpit workbench, worm habitat junior and a variety of program and play baskets for use at the centre.	\$982	\$982
		Total	\$4,981

Applicant Name	Project Title	Amount Requested	Amount Approved under Delegation
Scoresby Secondary Parents and Friends	Purchase of native and/or indigenous plants for VCAL students to create a garden with a diverse habitat to support native fauna.	\$500	\$500
		Total	\$500

10.7 Incidental Community Grants Program Applications (cont'd)

Confidential Appendix B is circulated under separate cover.

Official Minutes of Knox City Council

ALL WARDS**11.1 WORKS REPORT AS AT 26 MAY 2017**

SUMMARY: *Coordinator – Capital Works (Gene Chiron)*

The Works Report shows projects on Council's Capital Works Program and indicates the status of each project as at 26 May 2017.

RECOMMENDATION

That the works report, as at 26 May 2017, be received and noted.

1. INTRODUCTION

This report summarises Council's Capital Works Program for the 2016/2017 financial year. The aim of this report is to provide a regular and succinct status summary of each project over the last month. The Capital Works Report, as of 26 May 2017, is attached as Appendix A.

COUNCIL RESOLUTION

MOVED: CR. COOPER

SECONDED: CR. TAYLOR

That the works report, as at 26 May 2017, be received and noted.

CARRIED

Project Number	Project Name	Total Approved
1	Bridges Renewal Program The renewal of the Forest Road Pedestrian Bridge has commenced. All works will be completed by the end of July.	\$350,000
4	High Risk Road Failures Program completed.	\$500,000
7	Road Surface Renewal Program Program completed.	\$3,640,000
8	Drainage Pit and Pipe Renewal Program Program will be completed by the end of the financial year. Works currently underway in Otira Road and Tormore Reserve.	\$1,760,000
9	Footpath Renewal Program Program near completion at 99% expended.	\$1,600,000
10	Bicycle / Shared Path Renewal Program Program will be 100% expended by the end of the financial year.	\$500,000
16	Building Renewal Program Program is 78% committed/expended with approximately 20% planned works to be committed by end of June. Works nearing completion/commencing over June include Knox Park Grandstand - external painting, Carrington Leisure Centre - structural rectification, internal painting, Talaskia Pavilion - showers/toilet refit, Kings Park Baseball Pavilion - kitchen refit, Civic Centre - planning refurbishment, Wantirna Pavilion - kitchen refit.	\$4,300,000
17	Playground Renewal Program Contract currently out to tender.	\$1,412,146
22	Fire Hydrant Replacement Program Payments to South East Water due by mid June.	\$123,000
24	Carpark Renewal Program will be 100% expended by the end of the financial year.	\$640,931
25	Plant & Machinery Replacement Program Fleet Renewal Program 61% of funding committed.	\$2,787,000
26	Street Tree Replacement Program Planting works underway.	\$585,454

COUNCIL – ITEMS FOR INFORMATION

26 June 2017

Knox City Council Project Status Report

26-May-2017

APPENDIX A

Project Number	Project Name	Total Approved
31	Stamford Park Redevelopment	\$4,440,820
	Verandah works (stage 2) completed. Design of kitchen extension for restaurant commissioned. Further works awaiting approval at July 10 SPC meeting.	
43	Shade Sails & Play Structure Maintenance	\$38,500
	Tracking well - awaiting quotes for remainder of funds to be expended.	
104	Roadside Furniture Renewal Program	\$60,000
	Program completed.	
147	Energy & Greenhouse Program for Council Facilities	\$60,000
	Lighting replacements at Sports clubs are well underway with six facilities completed to date. All works are due to be completed by June.	
229	Building Code Australia Compliance	\$100,000
	Program 40% committed/expended with balance of works to be committed over June. Anticipated \$20K savings.	
289	CSR Quarry Reserve - Implementation Stage 4	\$500,937
	Project completed.	
345	Asbestos Removal	\$100,000
	Program 82% committed/expended with a further 18% planned works to be committed over month of June identified from commissioned asbestos audits.	
347	Miscellaneous Industrial Roads - Pavement Rehabilitation	\$250,000
	95% expended, reactive works will complete this program.	
409	Parks Furniture Renewal	\$67,000
	Program completed for 2016/2017	
410	Parks Signage Renewal	\$20,000
	Program completed for 2016/17	
412	Water Sensitive Urban Design Renewal	\$332,613
	Colchester Reserve Wetlands: contract works progressing. Project expected to be completed end of July weather permitting.	
441	Tim Neville Arboretum Renewal	\$534,108
	Stage 1 Civil Contract: Contract works completed. Project packaged with Project 412 - WSUD renewal and 751 - Tim Neville Arboretum lake structure upgrade. Stage 2 Parks works: Arboretum works and renewals are to occur as per the Masterplan between February and June.	

Project Number	Project Name	Total Approved
455	Park Crescent, Cypress Avenue, Boronia - Drainage Upgrade	\$189,738
	Project construction has been put on hold subject to long term resolution of facilities and associated drainage strategy for the park site. This project is linked with Project No. 763 Boronia Overland Flow Path. No construction to occur in 2016-17. Catchment analyses, detailed survey and functional concept designs have been completed for future consideration of works associated with this site.	
459	Dobson Street Reserve Retarding Basin	\$621,628
	Contractor appointed with commencement of works on site delayed due to permit approval process. Significant alteration to design now removes the need for SE Water involvement. Negotiations with contractor to reflect altered design completed with Revised Priced Bill of Quantities submitted and approved. Works now anticipated to commence in June subject to approval of pre-construction documentation.	
492	Food Act Compliance - Kitchen Retrofitting	\$25,000
	Kitchen refits to meet Food Act requirements will be undertaken at Wantirna Pavilion, Kings Park Baseball Pavilion.	
495	Fencing Replacement in Early Years Facilities - Scope and Implementation	\$24,000
	Program 50% committed/expended. Remainder of projects to be undertaken over June.	
516	Rumann and Benedikt Reserves - Open Space Upgrade	\$200,000
	Consultant proposed changes to sub-base treatment based on Geotech/Engineering recommendations. Now awaiting consultant's response to Council's recommendation. Tender phase will commence once final landscape plans are submitted. This stage of works (Stage 4) is expected to be committed this financial year with works likely to overlap end of financial year.	
529	Dobson Park - Water Harvesting System	\$51,678
	Project completed.	
536	Parkland Asset Renewal	\$60,000
	Program completed for 2016/17.	
537	Bush Boulevard Renewal	\$30,000
	Program for 2016/17 completed.	
566	Artwork Renewal	\$20,000
	Restoration of artwork from the Placemaker Legacy has commenced.	

Knox City Council Project Status Report

26-May-2017

APPENDIX A

Project Number	Project Name	Total Approved
576	Early Years Facility Emergency Warning System Program of works 98% committed/expended. Remainder of works are scheduled in for mid to late June installation.	\$50,000
584	Tormore Reserve - Masterplan Development Phase 2 of path and associated drainage works to commence when construction of cricket nets are complete. Asphalt surface to carpark to be constructed.	\$200,000
587	Upper Ferntree Gully Neighbourhood Activity Centre - Design Project on hold at Council request.	\$473,153
589	Knox Early Years (KEYs) Online Moved the application to live on Monday 12 May, as planned. 2017 registrations are on track and working after issues resolved.	\$27,411
593	Marie Wallace Park - Masterplan Development (1) Open Space works: Design and costing for train safety improvements received - works to be undertaken subject to additional funding. (2) Access road car park - Commitment for contribution for pavement reinstatement works received from VicRoads with road reinstatement works built into scope of project. Detailed design completed, quotes received and recommendation for appointment approved. Anticipate construction commencement in June.	\$914,102
607	Ashton Road, FTG - Reconstruction Project completed.	\$452,285
608	Kingston Street, FTG - Reconstruction Project completed.	\$393,301
609	Mountain Gate Drive, FTG - Reconstruction Project completed.	\$526,116
610	Elm Street, Bayswater - Reconstruction Project completed.	\$447,079
611	Orange Grove, Bayswater- Reconstruction Project completed.	\$397,031
612	Maple Street, Bayswater - Reconstruction Project completed.	\$263,583
618	Rubber Rock Removal in Child Care Centres Program completed.	\$60,000

Project Number	Project Name	Total Approved
622	Walker Reserve - Stage 2, Wantirna South Contract works completed and practical completion achieved.	\$320,000
628	Boronia Library - Scope and Concept Project on hold, subject to wider precinct investigations.	\$71,782
630	Early Years Hubs - Bayswater Tender for detailed design advertised on May 20. Tender closes June 20.	\$650,000
649	Scoresby (Exner) Reserve - Masterplan Carpark construction nearing completion. Design for tennis court relocation for Masterplan works well advanced.	\$250,000
655	Entry Signage - Scope and Concept Project completed.	\$3,500
660	Mountain Highway (No. 598), Bayswater Drainage - Design Council officers provided final comments to detailed design. Consultants making final edits and will submit completed design in May.	\$23,967
667	Dobson Creek Catchment - Streetscape Water Sensitive Urban Design Contractor appointed. Works scheduled to commence end of May weather permitting.	\$203,402
668	Knox Active Aging Management System (KAAMS) Department of Human Service Minimum Data Set (MDS) completed. Commonwealth Home Support Program (CHSP) completed. Mobile Fleet in progress. Client Account Balance Integration in progress. Payroll Dynamic Integration on hold. Waiting on technical specification to be provided by Icon Global (IG).	\$212,595
675	Public Art Project The Public Art Plan (previously called the Public Art Strategy and Blueprint) is still in draft form and is being reviewed. The plan is to be considered by Council in July prior to going on public exhibition in August and then back to Council for final endorsement later in the year. No money is being expended from the public art funds budget until this process is finalised. It is planned that the allocated capital works accrued amount be rolled over into the 2017/18 financial year.	\$119,658
689	Lewis Park Oval 1 Renewal Consultants preparing construction plans.	\$20,000

Project Number	Project Name	Total Approved
699	Miller Road/Dorrigo Drive Traffic Treatment Project completed.	\$4,964
704	Mountain Highway footpath connection 4 Preliminary discussions have been held with the developers of 1268 Mountain Highway about the proposed footpath. To avoid foreseeable damage to the footpath, works will not be undertaken until construction works at the front of the property have been completed.	\$80,000
707	Practice wickets / sports reserve assets/tennis courts/netball courts Support posts have been erected, concrete slab to follow.	\$225,000
708	Cricket run ups and goal squares Work identified at Seebeck Reserve. Works on hold pending warmer weather in September.	\$20,000
710	Colchester Reserve Rugby Pitches Contract works completed and Practical Completion for oval works achieved with pathway still to be reinstated and minor defects to be addressed around September 2017. Handover to club to occur end May.	\$457,230
712	Tennis Court Renewals Project completed.	\$235,065
713	Sports Facility Lighting Renewal Project completed.	\$36,500
714	Family and Children Services Softfall Program Program completed.	\$25,000
716	Early Years Hubs - Wantirna South Contract let to Circon Constructions. Works to commence June 13.	\$6,578,222
717	Knox Central Package Negotiations to acquire parcels for future road corridor and delivery of Knox Central Masterplan continue, with conclusion expected in the next financial year (17-18). The Operations Centre land has settled with residual funding to remain allocated to the project should additional land be required.	\$11,585,000

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Project Number	Project Name	Total Approved
718	Bulk Replacement of Street Lights with LED	\$6,071,446
	The Standard light replacement program is due to be completed with a number of lights requiring re-visits following repair by Ausnet Services. The Decorative lights replacement program will extend into the new financial year with installations due to commence in July 2017.	
721	Eildon Park Reserve (Pavilion upgrade), Rowville	\$658,969
	Currently progressing with internal fitouts. Expected completion by July.	
724	Knox (Interim) Library	\$678,520
	Westfields will be confirming their commitment /approval of the project, pending approval from Westfield's investment partner.	
725	Placemakers Site - Design	\$222,263
	Design to be finalised for works to replace the fire damaged premises to progress to building works in mid to late 2017.	
727	Knox Community Arts Centre - Outdoor Furniture	\$12,000
	Minor landscape works to be scoped and confirmed.	
733	Preschool Office/Storage - Minor Works	\$70,000
	Works now completed. Awaiting invoices to finalise program of works.	
735	Family & Children Services Buildings Door Jamb Protectors	\$25,000
	Program completed.	
738	The Basin Progress Hall - Stage 4 of 4	\$72,501
	Project completed.	
743	Quarry Road, Upper Ferntree Gully	\$456,263
	Project completed.	
746	Revegetation Plan	\$100,000
	Planting commenced.	
747	Chandler Park, Boronia - Masterplan Implementation	\$368,169
	Concrete works, including saw cuts have been completed at the Multipurpose activity area and the remaining paths and pads are being prepared for concrete to be poured at the end of May. Playground equipment has been installed. Shelter structure has been installed. Rock and log placement almost complete. Steps (made from railway sleepers, boulders and compacted gravel) are underway.	

Project Number	Project Name	Total Approved
749	Fairpark Reserve, Ferntree Gully - Masterplan Implementation Final minor works currently being completed. Contractor is aiming to schedule practical completion end of May.	\$240,609
750	Basin Triangle Reserve, The Basin - Masterplan Implementation Project completed.	\$95,450
751	Tim Neville Arboretum - Lake Structure Upgrade Project completed.	\$150,000
752	Mountain Gate Shopping Centre Reserve - Design Concept design development in progress, aim to consult with the local traders and adjacent residents in late June.	\$19,425
755	Talaskia Reserve, Upper Ferntree Gully - Design Documents have been reviewed to send back to consultants to make revisions, however we are awaiting confirmation from Council's Recreation team for funding from Tennis Victoria for a junior tennis 'Hot Shot' court to be included in the scope of works.	\$100,000
756	Heany Park, Rowville - Masterplan Implementation Quote for final handrail works has been received. Need to discuss proposed quote for works with Building Services.	\$73,741
757	Carrington Park, Knoxfield - Masterplan Carry forward remaining budget required. Open Space and Leisure to implement site works in 17/18 financial year.	\$150,000
758	David Cooper Park Masterplan Implementation Electrical works are almost complete for BBQ installation under shelter. Top dressing to make good all grassed surfaces and BBQ delivery scheduled next week.	\$41,332
759	Alchester Village - Masterplan Implementation Final planting works to be completed by end of May. Practical Completion scheduled for 25/05/2017.	\$89,600
760	Alchester Village - Park Masterplan As for 759 above.	\$60,000
761	Dandenong Creek Gateways - Revegetation of Strategic Road Corridors Site plans being collated and planting designs currently being completed by Open Space and Biodiversity. Next step is to liaise with VicRoads regarding the proposed works.	\$49,620

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Project Number	Project Name	Total Approved
762	Dobsons-Clyde Street Flood Retarding System - Design Refer to Project No. 459.	\$0
763	Boronia Road Overland Flowpath - Construction Project construction has been put on hold subject to long term resolution of facilities and associated drainage strategy for the park site. No construction to occur in 2016-17. Catchment analysis, detailed survey and functional concept designs have been completed for future consideration of works at this site.	\$550,000
765	Alchester Village Shopping Centre - new toilet block Project completed.	\$135,200
768	Wantirna Mall Toilets Project completed.	\$116,530
769	Mint Street, Wantirna – Dandenong Creek Wetland Construction Tenders closed on 20 April and tender evaluation nearing completion. Contract appointment anticipated to occur by end of May and construction anticipated to commence by late June.	\$400,000
771	Colchester Road, Boronia – Wetland and Raingarden Refer to Project No. 412.	\$40,000
773	Suffern Avenue (Waldheim Street) Wetland Contract has been advertised with tenders closing on 6 June.	\$373,979
775	Alchester Village Lighting Project Park lighting works (including additional works) are complete and operational. Street lighting upgrade works (by Ausnet) are complete and operational. Final payments and reporting required.	\$91,775
785	Printer Upgrade All MFD's (Multifunction Devices) are installed, fax solution in process, identification of redundant printers throughout the organization is being organized.	\$78,107
786	Microsoft Office Upgrade Progressing with rollout to outposts, anticipated completion, awaiting completion of WAN upgrade to facilitate the completion at each remote site.	\$150,000
787	Website Development Currently on hold.	\$36,000

Project Number	Project Name	Total Approved
788	Electronic Record System Upgrade (Knox eXplorer) Additional module being implemented (GO TRIM) including removal of network drives for file storage. Training underway for those affected.	\$743,038
789	Facilities Booking Review/Upgrade Vendor has committed to go live 17 July. Working towards that deadline.	\$35,800
791	Server Infrastructure Production complete. We are working towards completion of Disaster Recovery site (awaiting Manningham site readiness).	\$198,500
792	PC Rollout Project completed.	\$80,000
793	Non Leased Software and Hardware Project scheduled for completion by the end of June.	\$100,000
794	Switch Replacement Program (Leased) Remote site upgrade almost complete.	\$38,000
796	Park Crescent, Boronia - Reconstruction Project packaged with Erica Avenue and Woodvale Road. Contract works within Park Crescent completed with practical completion inspection to follow once Erica Avenue works are completed.	\$240,000
797	McMahons Road, Ferntree Gully - Reconstruction Project deferred to future years due to potential development of Norvel Quarry site likely to adversely affect road.	\$240,000
798	Woodvale Road, Boronia - Reconstruction Project packaged with Erica Avenue and Park Crescent. Contract works within Woodvale Road completed with practical completion inspection to follow once Erica Avenue works are completed.	\$210,000
799	Windermere Drive, Ferntree Gully - Reconstruction Project packaged with Smithfield Square project as one tender. Tenders closed and contractor appointed on 11 April. Awaiting submission of pre-construction documentation before issuing Possession of Site. Expect late May commencement.	\$350,000

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Project Number	Project Name	Total Approved
800	Smithfield Square, Wantirna - Reconstruction Project packaged with Windermere Drive project as one tender. Tenders closed and contractor appointed on 11 April. Awaiting submission of pre-construction documentation before issuing Possession of Site. Expect late May commencement.	\$210,000
801	Sasses Avenue, Bayswater - Reconstruction Tender evaluation completed and recommendation approved. Contractor appointed on 16 May and expect commencement by early June.	\$240,000
802	Erica Avenue, Boronia - Reconstruction Project packaged with Park Crescent and Woodvale Road. Contract works within Erica Avenue commenced 18 April and works approximately 15% complete. Works delayed due to construction issues with existing Council drain. Works now extended to include drain replacement and awaiting supply of drains before works can re-commence. Works expected to be completed by approximately August.	\$240,000
803	Macquarie Place, Boronia - Reconstruction Contractor has been appointed and works have commenced with Possession of Site granted 19 May.	\$210,000
804	Dorset Road (169), Boronia - Flood Mitigation Detailed design completed and quote received from Knox Construction - expect construction to occur from June.	\$97,000
806	Cash Fues Place, Wantirna – Dandenong Creek Wetland Design Final detail design approval by Project Delivery underway. Quotes to be sought end of May.	\$65,000
809	Bayswater Activity Centre Streetscape Improvements Design works for Mountain Hwy remain ongoing, with costing and detailed program yet to be finalised. Project is currently influenced by design and costs for undergrounding of power. Council officers are currently liaising directly on these matters with Level Crossing Removal Authority.	\$1,700,000
812	Asset Management System Project yet to commence.	\$20,000
813	Information architecture design and planning Awaiting endorsement of expenditure for the ICT/Digital Strategy.	\$75,200

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APPENDIX A

Project Number	Project Name	Total Approved
814	Standard Operating Environment Upgrade SOE Windows 10 due for completion July 2017, rollout will then commence to all sites including precinct.	\$70,000
815	Pathway Smartclient implementation Working with vendor to complete this process.	\$87,300
816	ePathway Payment enhancements/extension Working with vendor to complete this process.	\$70,000
817	WAN Upgrade Minor issues with remote sites holding up completion.	\$100,000
818	DRP Update and full test Equipment purchased for Manningham disaster recovery site. License with Manningham executed, implementation underway, testing to be undertaken post June.	\$100,000
819	IT Security Audit (policies & procedures) New security process implemented, with view to running penetration test in full in July.	\$40,000
820	Mobile phone refresh (iPhone) Project underway.	\$20,000
821	Nimble Due for completion in early June.	\$90,000
822	Security, Email Filtering and Firewall Email filtering complete, (mimecast) firewall purchased and implementation underway.	\$120,000
823	DCI - Air Conditioner Design work and quotes being compiled and vendor to be chosen.	\$100,000
824	VESDA Fresh Air Unit This project not being implemented, updated technology removes the need for this system to be augmented with extra warning devices.	\$2,000
825	Microsoft Licensing (True Up) To be completed end of May at the latest. Awaiting Microsoft invoice.	\$150,000

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Project Number	Project Name	Total Approved
826	Microsoft SQL Licence Process completed, sufficient licenses identified and purchased outright.	\$220,000
827	Microsoft SharePoint Upgrade Awaiting endorsement of ICT/Digital strategy and roadmap to commence SharePoint upgrade.	\$100,000
828	New Licences - HelpMaster Pro Not proceeding with this solution, investigating an alternate solution.	\$2,500
829	Knox Community Art Centre, Bayswater Quotations for furniture replacement being obtained.	\$30,000
830	Park Ridge Reserve, Rowville - Oval Renewal Growth has finished for the season due to the cool weather. Couch coverage around 35% at this stage.	\$440,000
831	Templeton Reserve, Wantirna - Oval Renewal Growth stopped due to cool weather. Bare areas to be addressed when warm weather returns.	\$260,000
832	Knox Gardens Reserve, Wantirna South - Oval 2 Renewal Cricket Pitch will be installed by May 19th. Ground progressing as expected.	\$250,000
833	Knox Gardens Reserve, Wantirna South - Tennis Court Renewal Preliminary estimate prepared for works required for Courts 6 & 7. Discussed scope of works with Leisure and seeking advice of preferred treatment through Tennis Victoria and consulting with Club.	\$44,000
834	Oversowing of Sports Fields Kings Park seed has failed to germinate. Tests are being conducted to determine the problem. Knox Park, HV Jones and Batterham Reserve progressing well.	\$20,000
837	Westfield Library - Design Still awaiting outcomes of discussions with Westfields.	\$200,000
838	Bayswater Community Hub - Scoping Council officers are continuing to engage with the LXRA on land related matters.	\$120,000

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Project Number	Project Name	Total Approved
839	Preschool Bathroom Upgrades, Scoping and Design Detailed documentation has been received. Awaiting invoices for finalization of design projects.	\$60,000
840	Knoxfield Preschool - Bathroom Upgrade Project completed.	\$54,000
841	Knox Skate & BMX Park, New Floodlighting Project completed.	\$70,000
842	Knox Athletics Track, Hammer Throw Cage Upgrade Feedback from the Athletics Club and Leisure have confirmed positive outcome of discussions with BMX Club concerning relocation of playground. Detailed design finalized and quote from specialist cage supplier being clarified. Club and Leisure to advise on required additional funding scenario.	\$60,000
843	Gilbert Park Reserve, Pavilion Upgrade - Design Revised concept design and costings have been completed. Currently seeking indicative construction costs from suppliers to complete this design phase.	\$65,000
844	Score Boards - Design and Installation Budget approximately 86% expended. All eight projects at construction/completion stage.	\$350,000
845	Carrington Park Leisure Centre - Basketball Rings Works programmed to be completed by August 2017 (as part of structural rectification project).	\$35,000
846	Knox Gardens Reserve - Lower Oval Shelters Awaiting Building permit to commence. Works expected to commence early June.	\$40,500
847	Boronia Basketball Stadium - Safety Padding Quotes have been sought. Works expected to commence early June.	\$65,000
848	Mariemont Preschool, Wantirna - Upgrade of Foyer and Office Space Detailed design has been completed. Awaiting invoices to finalise project.	\$158,000
849	Repurposing Scoping of Facilities from Hub Projects. Scoping the future use of Family and Children's Services Child Care Centres is tracking on schedule. Concept information is complete. Information will go to Council for further advice. Carry forward remainder amount \$28,550.00.	\$50,000

Project Number	Project Name	Total Approved
850	Murrindal Playgroup, Rowville - Outdoor Blind Installation (Community Submission) Project completed.	\$3,450
851	Senior Citizens Centres - Facilities Development Plan Asset Development Plan completed and reviewed and to be presented to Council at the May Issues Briefing Meeting.	\$85,000
852	Community Facilities Climate Control - Options Analysis Minor works to seal large gaps to parts of the Boronia Progress Hall will complete the first stage of this project.	\$15,000
853	Aimee Seebeck Hall, Amenities Design Awaiting invoice for project completion.	\$10,000
854	Knox Community Gardens/Vineyard Pergola Upgrade Quotes for gazebo expected to be obtained shortly.	\$10,000
855	Boronia Road, Wantirna - Footpath Footpath constructed as part of adjacent development. Funds transferred to next priority footpath project.	\$25,000
856	Boronia Road, Boronia - Footpath Feasibility Study Advice received from Traffic & Transport that footpath can be aligned between property frontage and service road with no apparent vegetation issues now likely to affect the design. Design to be initiated late May.	\$10,000
857	Rollings Road, Upper Ferntree Gully - Footpath Project completed.	\$65,100
858	Ferntree Gully Road, Ferntree Gully - Footpath Project completed. Waiting on final invoices.	\$31,500
859	Mountain Highway, Wantirna - Footpath 3 Footpath constructed as part of adjacent development. Funds transferred to next priority footpath Project – Glenfern Road footpath.	\$57,750
860	Bergins Road, Rowville - Footpath 3 Awaiting feedback on vegetation issues and possible alterations to Telstra pits.	\$125,000
861	Beresford Drive/Colchester Road, Boronia - Channelised Right Turn Project completed. Waiting on final invoices.	\$70,000

Project Number	Project Name	Total Approved
862	Burwood Highway, Wantirna - Shared Path 2 - Design Biodiversity consultant to be engaged to advise on vegetation and path alignment.	\$10,000
863	Fitzgerald Street, FTG - Streetlights Light has now been installed.	\$45,000
864	Lakeside Boulevard, Rowville - Pedestrian Refuge Project completed. Waiting on final invoices.	\$15,000
865	Mountain Highway, Boronia - Footpath Connection 2 Project completed.	\$20,000
866	Ferntree Gully Village Square - Masterplan Implementation Open Space is currently undertaking minor redesign of space, to restrict proposed works to Council owned land.	\$100,000
867	Knox Regional Netball Centre, Ferntree Gully - Masterplan Consultation to commence with stakeholders and local community in mid June.	\$55,000
868	H V Jones, Ferntree Gully Masterplan Implementation Consultation to commence with stakeholders and local community in mid June.	\$45,000
869	Gilbert Park, Knoxfield - Masterplan Review Feature survey completed mid-May. Amended Masterplan with associated amended costing, is currently being prepared.	\$30,000
870	Ferntree Gully Stormwater Masterplan Funds transferred to Dobsons-Clyde Street Flood Retarding System project.	\$20,000
871	Energy Performance Audit for Community Buildings Contracts being finalised with the successful contractor. Commencement has been delayed due to delays in sign-off timeframes in partner Councils. Project commencement has been delayed by 4 weeks.	\$120,000
874	Fulham Road, Rowville Reconstruction - Design Geotech investigation and survey completed. Detailed design underway.	\$30,000
875	Parkhurst Drive, Knoxfield Reconstruction - Design Geotech investigation and survey completed. Detailed design has commenced.	\$45,000

Project Number	Project Name	Total Approved
876	Eastgate Court, Wantirna South Reconstruction - Design Design completed - questionnaire survey to assess business needs underway with majority of survey responses returned.	\$25,000
877	Rosehill Street, Scoresby Reconstruction - Design Geotech investigation and survey completed. Detailed design around 90% complete and now expected to be completed by early June.	\$25,000
878	Alma Avenue, Ferntree Gully Reconstruction - Design Geotech investigation and survey completed with detailed design underway and 50% complete.	\$25,000
879	Winwood Drive, Ferntree Gully Reconstruction - Design Geotech investigation, survey and detailed design completed. Design review completed and altering The Avenue intersection design following advice from Traffic & Transport.	\$25,000
880	Helene Court, Boronia Reconstruction - Design Geotech investigation, survey and detailed design completed. Parks agreed to remove significant eucalypt tree due to it causing damage to road infrastructure.	\$25,000
882	Knox Regional Football Centre Storage Shed Project no longer proceeding as an alternative solution has been implemented.	\$0
883	Road Reconstruction Audit Works Road reconstruction funding for audit priority works and to supplement this year's Roads to Recovery funding shortfall.	\$1,160,000
884	Glenfern Road Ferntree Gully - Footpath In progress.	\$162,750
885	Various Isolated Traffic Treatments The ITT works are all complete.	\$70,000
886	Schultz Reserve - Internal Pavilion Upgrades (Female Friendly) Council allocated funding to this project at its December, 2016 meeting to match State Government Community Sports Infrastructure 2017/2018 funding.	\$100,000
887	Knox Regional Sports Park Signage - Design Project completed.	\$13,500

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Project Number	Project Name	Total Approved
888	Batterham Reserve Floodlighting Upgrade	\$200,000
	Addition of new project as part of Community Development Grants Programme following election commitments made prior to last year's federal election. Works to be completed in the 2017/2018 Capital Works Program.	
889	Wally Tew Reserve Floodlighting Upgrade	\$200,000
	Addition of new project as part of Community Development Grants Programme following election commitment made prior to last year's federal election. Works to be completed in the 2017/18 capital works program	
891	Henderson Road Bridge - Preconstruction	\$75,000
	Investigation works in progress on environmental studies and traffic study.	
907	Construction of Council's section of JW Manson Reserve WSUD system	\$255,500
	Funding for resource, design and construction provided by Melbourne Water. Design underway. Design scheduled to be completed by 30 June.	
Total:		\$74,490,636

Official Minutes of Knox City Council

ALL WARDS**11.2 ASSEMBLIES OF COUNCILLORS**

SUMMARY: *Manager – Governance and Innovation
(Fleur Cousins)*

This report provides details of Assembly of Councillors established under section 80A of the Local Government Act as required under section 80A(2) of the Act.

RECOMMENDATION

That Council

1. Note the written record of Assemblies of Councillors as attached to this report.
2. Incorporate the records of the Assemblies into the minutes of the meeting.

1. INTRODUCTION

Under section 80A(2) of the Local Government Act, the Chief Executive Officer must present a written record of an Assembly of Councillors to an ordinary meeting of Council as soon as practicable after an Assembly occurs. This written record is required to be incorporated into the minutes of the meeting.

Details of Assemblies of Councillors that have occurred between Monday 8 May 2017 and Sunday 11 June 2017 are attached to this report.

COUNCIL RESOLUTION

MOVED: CR. LOCKWOOD

SECONDED: CR. KEOGH

That Council

1. **Note the written record of Assemblies of Councillors as attached to this report.**
2. **Incorporate the records of the Assemblies into the minutes of the meeting.**

CARRIED

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 8/5/2017	
Name of Committee or Group (if applicable):	
Confidential Issues Briefing Meeting	
Time Meeting Commenced: 7:30pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	Cr Jackson Taylor
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Jake Keogh
Cr Tony Holland	Cr Nicole Seymour
Cr Adam Gill	
Council Staff in Attendance:	
Tony Doyle	Fleur Cousins
Ian Bell	Dale Monk
Angelo Kourambas	Tanya Clark (Item 3)
Kerry Stubbings	Diana Carroll (Item 3)
Kim Rawlings	Judy Chalkley (Item 3)
Matters Considered:	
1. Proposed Property Acquisition	
2. Quarterly Financial Performance Update – March 2017 Quarter	
3. Aged Care Reform and HACC Transition Update	
4. Instrument of Delegation to the Chief Executive Officer	
5. Review of Ferntree Gully Cemetery Trust Special Committee and Associated Delegations	
6. Recognition of Former Mayors and Councillors Tom Blaze and Frank Johnson	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 9/5/2017	
Name of Committee or Group (if applicable): Knox Central Advisory Committee	
Time Meeting Commenced: 1:30pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	Cr Jackson Taylor
Cr Peter Lockwood	Cr Lisa Cooper
Cr Tony Holland	Cr Jake Keogh
Council Staff in Attendance:	
Angelo Kourambas	
Samantha Mazer	
Tony Doyle	
Nicole Vickridge	
Matters Considered:	
Status of Knox Central Project including the new Operation Centre and Knox Central Structure Plan and Amendment C149.	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 15/5/2017	
Name of Committee or Group (if applicable):	
Confidential Issues Briefing Meeting	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	Cr Jackson Taylor
Cr John Mortimore	Cr Jake Keogh
Cr Tony Holland	Cr Nicole Seymour
Council Staff in Attendance:	
	Kathy Parton (Item 3)
Ian Bell	Amanda Wiggs (Item 3)
Angelo Kourambas	Peter Gore (Item 4)
Kim Rawlings	Nicole Columbine (Item 4)
Fleur Cousins	Matt Hanrahan (Item 5)
	Ron Crawford (Item 5)
Matters Considered:	
1. Development Offer – Kingston Links Golf Course	
2. Instrument of Delegation to the Chief Executive Officer	
3. Community Access and Equity Implementation Plan 2017-22	
4. Tennis Facilities Plan Implementation	
5. Non Standard Streetlight Replacement	
6. Review of Councillor Policies – Council Representation on External Bodies	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 18/5/2017	
Name of Committee or Group (if applicable):	
Submission Hearing	
Time Meeting Commenced: 12:30pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	
Cr Tony Holland	
Cr Jackson Taylor	
Cr Lisa Cooper	
Cr Jake Keogh	
Council Staff in Attendance:	
Tony Doyle	
Angelo Kourambas	
Matters Considered:	
Amendment C149 – Submission relating to land at 258 Scoresby Road, Boronia	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 18/5/2017	
Name of Committee or Group (if applicable):	
Submission Hearing	
Time Meeting Commenced: 4:30pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	
Cr Tony Holland	
Cr Jackson Taylor	
Cr Lisa Cooper	
Cr Jake Keogh	
Council Staff in Attendance:	
Tony Doyle	
Angelo Kourambas	
Matters Considered:	
Amendment C149 – Submission relating to land at 258 Scoresby Road, Boronia	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 22/5/2017	
Name of Committee or Group (if applicable): Knox Central Advisory Committee	
Time Meeting Commenced: 1:30pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	Cr Jackson Taylor
Cr Peter Lockwood	Cr Lisa Cooper
Cr Tony Holland	Cr Jake Keogh
Council Staff in Attendance:	
Angelo Kourambas	
Samantha Mazer	
Tony Doyle	
Nicole Vickridge	
Matters Considered:	
Status of Planning Scheme Amendment C149 and Panel Hearing.	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 30/5/2017	
Name of Committee or Group (if applicable): Public Submissions Hearing	
Time Meeting Commenced: 7:00pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	Cr Lisa Cooper
Cr Peter Lockwood	Cr Jake Keogh
Cr John Mortimore	Cr Nicole Seymour
Cr Tony Holland	
Council Staff in Attendance:	
Tony Doyle	Matt Hanrahan
Ian Bell	Dale Monk
Kathy Parton	James Morris
Paul Dickie	Fleur Cousins
Matters Considered:	
1. Hearing of those submissions who requested to be heard.	
2. Consideration of all submissions received in response to draft Community and Council Plan and proposed Budget.	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 31/5/2017	
Name of Committee or Group (if applicable):	
Recreation and Leisure Liaison Group	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Adam Gill	
Cr Jake Keogh	
Council Staff in Attendance:	
Peter Gore	Flora Lau
Daniel Clark	Tristan Smith
Robert Morton	Tim Fitzgerald
Nicole Columbine	Karen Evans
Matters Considered:	
1. Development of Master Plans for HV Jones Reserve and Knox Regional Netball Centre	
2. Knox Aquatic Plan	
3. Capital Works Program	
4. Leisure Minor Capital Works Grant Scheme Committee	
5. Youth Resilience Survey	
6. Sporting Facility Number Comparison	
7. Sporting Reserve Facility Usage Policy Review	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 5/6/2017	
Name of Committee or Group (if applicable):	
Confidential Issues Briefing Meeting	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	Cr Jackson Taylor
Cr John Mortimore	Cr Jake Keogh
Cr Tony Holland	Cr Nicole Seymour
Council Staff in Attendance:	
Tony Doyle	Kathy Parton
Ian Bell	Ingo Kumic (Item 1)
Angelo Kourambas	Gordon Noble (Item 1)
Kim Rawlings	Dale Monk (Item 5 & 6a)
Fleur Cousins	Matt Hanrahan (Item 6b & 6c)
Matters Considered:	
1. Community Bonds Pilot Project	
2. Kingston Links	
3. Ferntree Gully Library	
4. Budget and Community & Council Plan	
5. Related Party Disclosures	
6. Service Planning – Year 4, Stage 4 – Guidance on Proposed Directions	
a. Financial Service	
b. Traffic and Transport	
c. Asset Management	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

12. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**12.1 NOTICE OF MOTION NO. 66
PROVISION OF PEDESTRIAN CROSSING TO FOREST ROAD, THE
BASIN****COUNCIL RESOLUTION****MOVED: CR. MORTIMORE****SECONDED: CR. KEOGH**

That Council:

1. Refer the provision of a pedestrian crossing to Forest Road, The Basin, in proximity of Wright Street to Council's 'Priorities for Arterial Road Projects 2017/18' - for ranking in accord with Council's 'triple bottom line' assessment criteria;
2. Note that the full list of ranked projects will be presented to Council at the August 2017 Ordinary meeting of Council for consideration and endorsement prior to submission to VicRoads.

CARRIED

**12.2 NOTICE OF MOTION NO. 67
WANTIRNA CARAVAN PARK****COUNCIL RESOLUTION****MOVED: CR. PEARCE****SECONDED: CR. TAYLOR****That Council:**

- 1. Call on Long River Melbourne 1 Pty Ltd, applicant to develop the Wantirna Caravan Park, to provide fair and reasonable compensation to Wantirna Caravan Park residents and assist with relocation costs.**
- 2. Note and acknowledge:**
 - a. It is still greatly concerned at the dilemma that the residents of Wantirna Caravan Park face;**
 - b. That Council is the responsible planning authority, the development application is being assessed as to its compliance with the Knox Planning Scheme and this motion does not seek to pre-empt that process;**
 - c. Its appreciation for the partnership work undertaken by the State Government and Community organisations including Uniting Care Harrison, Department Health and Human Services , Villa Maria, Eastern Community Legal Service and EACH in supporting and rehousing residents of Wantirna Caravan Park; and**
 - d. That the release of any land, whether council owned or state owned in Knox or the vicinity of Knox , for use as a caravan park is unlikely to meet the urgent needs of Wantirna Caravan park residents.**
- 3. Requests Long River Melbourne 1 Pty Ltd and its partners to urgently meet with Knox Council representatives to further discuss the social implications of the development of the Wantirna Caravan Park.**

12.2 Notice of Motion No. 67 - Wantirna Caravan Park (cont'd)**Resolution (cont'd)**

A Division was called by Cr. Taylor

**For the motion: Councillor Keogh, Councillor Taylor,
Councillor Cooper, Councillor Holland,
Councillor Pearce, Councillor Lockwood,
Councillor Gill, Councillor Mortimore,
Councillor Seymour**

THE MOTION WAS CARRIED UNANIMOUSLY

Official Minutes of Knox City Council

13. SUPPLEMENTARY ITEMS**TIRHATUAN WARD****13.1 AMENDMENT C142 - KINGSTON LINKS GOLF COURSE**

SUMMARY: *Senior Project Manager – Strategic Planning
(Jonathan Wright)*

The future owners (the “Pask Group”) of the Kingston Links Golf Course site at 14 Corporate Avenue, Rowville have proposed the redevelopment of their site for a mix of residential, small-scale commercial, and public uses (the “Development”). The site is currently zoned Special Use Zone (SUZ1) and identified in the Knox Housing Strategy as a Strategic Investigation Site that could support a mix of residential and commercial uses pending a future rezoning process. A Land Subject to Inundation Overlay (LSIO) currently applies to the site, as it is part of the floodplain for the Corhanwarrabul Creek and Rowville Main Drain catchments.

Amendment C142 proposes to rezone the site for residential and public uses, remove the LSIO from areas that would be raised out of the floodplain, and apply a new Schedule 13 to the Development Plan Overlay that would set requirements for a detailed Development Plan to guide future development of the site. This report recommends that Council progress the rezoning proposal by seeking permission from Minister for Planning for the public exhibition of Amendment C142 subject to the signing of a Development Contributions Agreement (DCA), as described in the recommended resolutions.

RECOMMENDATION

That Council:

1. Note the Concept Layout Plan (Appendix A) and Planning Report (Appendix B) for the proposed redevelopment of the Kingston Links Golf Course site (14 Corporate Avenue, Rowville) as prepared by Tract on behalf of the Pask Group;
2. Subject to proposed resolutions numbered 3 and 4, endorse the form of the:
 - a. proposed Planning Scheme Amendment C142 (Appendix C); and
 - b. the Terms Sheet for proposed Developer Contributions (Appendix D);
3. Recognise that Council has not yet resolved to sell the Council Land (part 889R Wellington Road, Rowville) that focuses part of this amendment and if this sale does not occur, Amendment C142 is likely to require modification;

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

4. Not send Amendment C142 to the Minister to approve exhibition until the Pask Group have signed the Development Contribution Agreement contemplated at proposed resolution 5;
5. Authorise the Chief Executive Officer of Council to finalise negotiations with the Pask Group and execute a Development Contribution Agreement (including in the form of a Section 173 Agreement) that gives effect to the Terms Sheet;
6. Seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C142 after the Development Contribution Section 173 Agreement is agreed to and signed by Council and the Pask Group;
7. Authorise the Director – City Development to make minor changes to Planning Scheme Amendment C142 documentation, where the changes do not affect the purpose or intent of the Amendment;
8. Confirms that the Terms Sheet (Appendix D) is a confidential item.

1. INTRODUCTION

The Kingston Links Golf Course at 14 Corporate Avenue, Rowville is identified in the *Knox Housing Strategy 2015* as a 'Strategic Investigation Site' that has the potential to accommodate a mix of residential and commercial uses. The Pask Group, a group of companies (it is understood in contract which is subject to the approval of Amendment C142), are acquiring the site and in July 2015 requested a planning scheme amendment rezoning the site primarily for residential uses and public open space with some small-scale commercial uses.

The proposed development includes approximately 800 new dwellings, new parks and public open spaces, new wetlands and other flood mitigation works, new multi-purpose community facilities, rehabilitation of ecological corridors along the Corhanwarrabul Creek, and the potential for small-scale commercial uses as part of a mixed-use neighbourhood centre. The area affected by Amendment C142 site also includes some Council Land, as described at Section 2.4 below.

Council officers have undertaken a collaborative approach to the review of the application, combining input across Council and State Government agencies with extensive discussions with Pask Group. An important goal of this process has been to reach broad consensus between all parties on the technical and planning requirements of the site. Key elements of this coordination process have included:

- Agreement in principle with Melbourne Water in May 2016 on the approach to flood management on the site and the future design of the Corhanwarrabul Creek corridor;

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

- Agreement in principle with Pask Group on a package of community infrastructure contributions, which includes new sporting fields and associated pavilion, a contribution to support the delivery of new social housing in Rowville, contribution towards a new Men's Shed and a new pedestrian crossing of the Corhanwarrabul Creek;
- Continuing coordination with VicRoads and ConnectEast on the approach to traffic management and noise mitigation, including a new road connection to Stud Road via Emmeline Row.

The main planning control that will guide the long-term development of the site is a proposed new Schedule 13 to the Development Plan Overlay (DPO13). This control sets out requirements for a Development Plan that will be used to assess subsequent permit applications for the development of the site. These requirements include the following documents:

- Masterplan – illustrating land uses (including open space), interface treatments, and road layout;
- Landscape Masterplan – showing a landscape concept design for streetscapes and public open spaces;
- Integrated Transport Plan – addressing access and movement to, from, and within the site;
- Integrated Water Management Plan – addressing a holistic approach to stormwater management within and beyond the site.

The Amendment also includes a rezoning of the site from Special Use Zone (SUZ1) to a mix of General Residential Zone (GRZ), Mixed Use Zone (MUZ), and Public Park and Recreation Zone (PPRZ).

This report recommends that Council progress the process by seeking authorisation from the Minister for Planning for the public exhibition of Amendment C142 to the Knox Planning Scheme (Appendix C).

2. DISCUSSION

2.1 Site Description

The Kingston Links Golf Course is a 65.572 ha site bounded to the northwest by the Corhanwarrabul Creek, to the west by EastLink, to the south by the commercial/industrial area north of Wellington Road, to the east by the existing residential neighbourhood west of Stud Road, and to the northeast by Council's parklands at Stamford Park. Maps of the site and surrounds can be found in the Concept Layout Plan (Appendix A) and Planning Report (Appendix B).

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

The only existing access to the site currently is from Wellington Road via Corporate Avenue. There are two small Council reserves to the south and southeast of the site. An easement for high-voltage power transmission lines runs along much of the south-western edge of the site.

The site is part of the floodplain for the Corhanwarrabul Creek and Rowville Main Drain catchments and much of the site is subject to regular flooding. The site is characterised by undulating contours of the golf course, but generally slopes from east to west with water draining into the creek. There are a number of subsurface Stormwater drains on the site, including a significant pipe running from the southernmost corner of the boundary with the Council land at Stamford Park in a south-westerly direction towards the Corhanwarrabul Creek.

The current vegetation on site is predominantly introduced species associated with the golf course. There is some native vegetation along the Corhanwarrabul Creek corridor, though that area is also characterised by significant levels of weeds and invasive species. Most of the 3,000+ trees on site are located along the perimeter.

2.2 Place and Policy Context

The area of Rowville in and around the Stud Park Shopping Centre (200-500m east of the site) is designated as an Activity Centre in the current *Plan Melbourne* regional planning framework, reflecting high levels of access to shopping, transport, schools, and community services. The *Rowville Plan 2015* serves as the structure plan for the area, which identifies current and future needs for the area and sets out a series of objectives and strategies to meet those needs over the next 20 years. That document, along with the *Knox Planning Scheme* and a wide range of other Council plans and strategies, provide the context for the issues described below.

Planning and Zoning

The *Knox Housing Strategy 2015* lists the Kingston Links Golf Course site as a 'Strategic Redevelopment Site' that could support future residential development.

"A mix of commercial and residential uses is considered appropriate for this site. Commercial uses should be located in proximity to the adjoining commercial land to the south. Any future development potential for this site will be subject to satisfactorily addressing the constraints of the site including drainage/flooding issues; and the interface to existing residential areas." – Knox Housing Strategy 2015, page 28

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

The site is currently zoned as Special Use Zone, Schedule 1 (SUZ1), which allows for "Community, recreation, education and religious purposes." Due to frequent flooding from the creek and main drain, the entire site is covered by a Land Subject to Inundation Overlay (LSIO), which places permit requirements on development and subdivision. An Environmental Significance Overlay (ESO2) applies to parts of the site along the Corhanwarrabul Creek corridor identified in a previous Council study as a Site of Biological Significance.

Housing

The *Knox Affordable Housing Action Plan 2015-2020* identifies the redevelopment of key strategic sites as an opportunity to secure new social housing in Knox. Action 2 under Strategy 3.3 of that document is to "negotiate with developers (on a case-by-case basis) for a voluntary 5% contribution of social housing in larger-scale private land developments, including Strategic Investigation Sites." The strategy to increase the supply of social housing in appropriate locations is supported under objective 2 of clause 21.05 'Housing' of the Knox Planning Scheme.

Open Space and Leisure

The *Knox Leisure Plan 2014-2019* and the *Eastern Region Soccer Strategy* identify a shortfall of active open space in Rowville. This includes playing fields and facilities to accommodate soccer in particular, amidst recent increases in demand that are attributed in part to growing female participation. The *Knox Leisure Plan 2014-2019* also notes that a number of facilities do not currently provide sufficient space overall and change facilities for females in particular.

Wellington Road Reserve, owned by Council, is an open area of around 3.0 ha with no road frontage and limited public access via the pocket park at Linnel Court. This site is the subject of a proposed land sale related to this development proposal, which is discussed in Section 2.4 of this report.

Transport

The *Rowville Plan 2015* and the *Knox Integrated Transport Plan 2015* both identify high levels of traffic congestion and a lack of transport choices as important issues to be addressed through future land use and infrastructure planning. These issues are present in Rowville, with heavy traffic and extensive delays along the Stud Road and Wellington Road corridors. This is particularly problematic due to the dependence of Rowville residents on car travel, which is reflected in some of the highest vehicle ownership rates in Knox.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

Public transport options in the area are limited, with SmartBus services but no rail service and limited local bus services and Telebus services. An important policy goal set out in the *Knox Integrated Transport Plan 2015* is to ensure access to bus service within a 5-minute walk (400m) of every house in the municipality. With no local bus routes west of Stud Road, the neighbourhood immediately east of the Kingston Links Golf Course site is one of the few areas of Knox that does not currently meet this standard.

Environment and Stormwater

There are identified Sites of Biological Significance along the Corhanwarrabul Creek corridor, which is covered by an Environmental Significance Overlay (ESO2). While the Corhanwarrabul Creek is not identified as a high-value waterway in the *Knox Water Sensitive Urban Design & Stormwater Management Strategy 2010*, stormwater problem areas of recent flooding have

been identified adjacent to the Kingston Links Golf Course site. In particular, areas of Lakeview Avenue and Waradgery Drive near the northeast corner of the site have experienced heavy flooding in recent years.

2.3 Development Proposal

Development Overview

The proposed development is predominantly residential with a mix of small-scale retail and significant areas of new public open space. The anticipated size of the proposed development is approximately 800 dwellings. The development is expected to include mostly detached housing, with around 80 apartments and 160 townhouses near the centre of the site. The proposed planning controls allow for some flexibility in the exact number and mix of future dwellings to accommodate changes to the market demand for housing into the future. Specially, the total number of final dwellings will be linked to the carrying capacity of the surrounding transport network.

Appendix A is the proposed Concept Layout Plan prepared by Tract for Pask Group.

Council Land Component

The proposed development also includes a proposal by the owner of the Kingston Links Golf Course site to purchase the Council land known as Part Wellington Road Reserve at the southeast corner of the site near the intersection of Stud Road and Wellington Road. This proposal is summarised in Section 2.4 of this report and discussed in detail in a separate report on this issue entitled "Proposed Sale of Council Property – Part Wellington Road Reserve, Rowville" under consideration at this meeting of Council.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

Stormwater

The site is proposed to be filled to bring the level of areas proposed for housing above the 1 in 100-year ARI flood levels as required by Melbourne Water. The proposed boundaries of the residential development have been set through an extensive flood modelling and site design process that has been undertaken by the developer in coordination with Melbourne Water and Council's Stormwater team.

Approximately 43.96 ha of the site will be made available for development through the filling of land, while the remaining 21.61 ha will remain as floodplain under the LSIO. Pask Group have advised Council officers that Melbourne Water has agreed in principle to take ownership of these future floodplain areas. However, confirmation of maintenance responsibilities will be required by Council as part of the assessment of a future Development Plan.

The proposed approach to stormwater management includes a widening of the Corhanwarrabul Creek corridor at the far north end of the site, which would reduce a significant overland flow path across the site that has caused flooding along Lakeview Avenue as recently as February 2011.

Transport

The development proposal includes a proposal for a new road link to the site from Stud Road via Emmeline Row. This potential future link was planned for and accommodated as part of the masterplanning and rezoning processes for the residential development at Stamford Park. This new road would be built by the developer as part of the proposed package of community infrastructure discussed in Section 2.5 below.

Preliminary traffic modelling has been undertaken by the developer in coordination with VicRoads and Council's Traffic & Transport team. This work estimates the demand for future travel based on the number of proposed new dwellings and current and future traffic patterns for people travelling to and from the site. Initial estimates show capacity for the existing roadway network to accommodate the number of estimated trips at Stud Road via Emmeline Row and at Wellington Road via Corporate Avenue. However, the assumptions underpinning this work are undergoing further review by VicRoads and Council and a more detailed analysis will be required as part of a future Development Plan.

Additional access for pedestrians and cyclists would be provided at existing Council-owned land near 4-6 Turnburry Court and 12 Linnel Court, which would supplement similar future access to the parklands at Stamford Park near 74-76 Lakeview Avenue. DPO13 requires that the road network be designed to accommodate buses should Public Transport Victoria (PTV) seek to extend its services to the neighbourhood in the future.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

Open Space and Leisure

The Knox Planning Scheme requires that 8.5% of the area subdivided for residential uses be given over to public open space, which equates to 3.74 ha of this site (while the entire site is 65.6 ha, approximately 21.61 ha will remain in the future floodplain and is not considered in the open space calculation).

Approximately 2.54 ha will be used as active open space that would accommodate new sporting fields and a multi-use pavilion. These facilities would be built by the developer as part of the proposed package of community infrastructure discussed in Section 2.5 of this report. The remaining 1.20 ha of new public space would be delivered as neighbourhood-scale parks throughout the residential development. These would provide areas for playgrounds and other passive recreational facilities for new residents of the development as well as existing residents in the surrounding neighbourhoods.

While much of the area adjacent to the Corhanwarrabul Creek and the easement under the high-voltage power lines would be subject to periodic flooding as part of the flood plain, these areas would also provide walking and cycling trails along with other opportunities for passive recreation. The areas along the Corhanwarrabul Creek will connect to new Council parklands at Stamford Park. The area under the existing high-voltage power lines would also include new wetland areas, which would serve important flood storage and ecological functions.

2.4 Council Land Component

The area affected by Amendment C142 also includes particular Council Land (refer to Appendices A and B) of 2.311 hectares. Council has not yet decided to sell that Council Land, and before deciding must comply with section 189 (public notification) and section 223 (public submissions).

Pask Group have proposed to purchase a parcel of Council-owned land adjacent to the Kingston Links Golf Course site for the purpose of incorporating it into their proposed residential development. This proposal is subject to a separate Council report under consideration by Council. However since it is related to the development proposal it is also canvassed here.

The Council land that Pask Group are proposing to purchase is known as Wellington Road Reserve, located near Linnel Court at the southeast corner of the Kingston Links Golf Course site. It currently has no road access, but does have pedestrian access via the Council-owned lot at 12 Linnel Court. It is also part of the Rowville Main Drain floodplain, with much of the parcel currently below the 1 in 100-year ARI flood level. It floods periodically and is currently subject to the existing LSIO. There are a few isolated trees at the edge of the parcel, but it is most grassy vegetation that Council mows periodically. It is currently zoned Special Use Zone 1(SUZ1), the same as the Kingston Links site, and not currently used for formal public recreation.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

The parcel is landlocked, but the development of the Kingston Links Golf Course site opens up the potential for future road access and therefore a change of use. The parcel was assessed for possible public open space uses as part of the coordination process around the rezoning and redevelopment application. However, this parcel is not large enough to accommodate two soccer pitches or oval with associated parking. Its location at the far end of the site would make access more difficult than other parts of the Kingston Links Golf Course site. Any intensive recreational uses of the site would have the potential to cause congestion, parking, and amenity impacts on Linnel Crescent.

However, the potential sale of this land would help facilitate the development of active open space facilities at the far western edge of the Kingston Links Golf Course site as described in Section 2.3 of this report. This location on the current driving range area is large enough to accommodate two soccer pitches with an overlaid oval and a multi-use pavilion. It has high visibility to EastLink and is located closer to the Wellington Road entrance, which could allow direct access without sending additional traffic through the new neighbourhoods on the Kingston Links Golf Course site. It is also within easy walking distance to the proposed mixed-use areas, where small-scale commercial development could be complementary to new sports facilities. There is an existing car park adjacent to the proposed active open space site that could be repurposed for shared use by the sports precinct.

If Council decides not to sell the Council Land then this is likely to impact Amendment C142. It:

- may (but not necessarily) result in the removal of the Council Land from the area affected by the amendment; and
- would require renegotiation with the Pask Group of the level of Developer Contributions, open space, and a range of related elements in the Development Contribution Agreement and the amendment.

2.5 Proposed Community Infrastructure Contributions (“Development Contributions”)

Pask Group and Council have negotiated a package of cash contributions and works in kind related to physical and community infrastructure that will support both the proposed development and address a range of existing Council priorities in the area. The terms have been set out and agreed to in a Term Sheet (Appendix D). The Term Sheet must be formalised as a Development Contribution Agreement (“DCA”) that will be executed by both parties prior to seeking the Minister’s approval to the exhibition of Amendment C142.

The DCA will also be a Section 173 Agreement and once Pask Group own the Kingston Links land it will be registered on the title(s) to that land to bind future owners if Pask Group sought to on-sell the whole or substantive parts of, the site.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

The following is a list of the agreed contributions:

Proposed Contributions:

- Social Housing (Land for 20 dwellings plus cash to Council);
- Public Open Space (8.5% of the developable area);
- Sports Fields and Pavilion (In addition to the land component);
- Pedestrian Footbridge (Contribution to % of overall cost);
- Men's Shed (Contribution to % of overall cost);
- Stamford Park Road Link (To build it, plus cash contribution reflecting land value).

The DCA (and Terms Sheet) is to contain other important provisions including:

- If Council has not (by its choice or due to delaying factors) sought approval to adopt Amendment C142, by 30 November 2018, Pask Group may renegotiate the DCA: and
- If Council sells the Council Land to Pask Group that sale is conditional on the adoption of Amendment C142 by 30 June 2019; and
- Council will give a licence to Pask Group to undertake Earthworks (Cut and Fill) before Amendment C142 is adopted and before any sale of the Council Land is unconditional. This Licence to include:
 - the ability to progress the development works; and
 - if Pask Group starts the Earthworks they must also finish, regardless of approval of the Amendment C142 or the proposed sale of Council Land.

Finally the DCA will not deal with so called normal development requirements imposed through any future Development Plan and planning permit. For example, Melbourne Water's conditions regarding Earthworks and flood mitigation, or VicRoads' requirements at Wellington Road.

2.6 Proposed Amendment C142

Amendment C142 proposes the following changes to the Knox Planning Scheme:

- Rezone the site to a mix of residential and public uses: General Residential Zone (GRZ), Mixed Use Zone (MUZ), Public Park and Recreation Zone (PPRZ);

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

- Apply a new Development Plan Overlay, Schedule 13 (DPO13);
- Remove the Land Subject to Inundation Overlay (LSIO) from part of the site;
- Include Wellington Road Reserve to Schedule 2 of Clause 52.02.

Amendment C142 would rezone the site from Special Use Zone (SUZ1) to a combination of General Residential Zone (GRZ), Mixed Use Zone (MUZ), and Public Park and Recreation Zone (PPRZ). The Land Subject to Inundation Overlay (LSIO) is proposed to be removed on areas that are proposed to be filled to a level above the 1 in 100-year ARI flood levels, as required by Melbourne Water.

Amendment C142 would also apply DPO13 to the entire site, including the Council land at Wellington Road Reserve and the Council land under the power lines near Corporate Avenue. This proposed overlay would set the requirements for a full Development Plan of the site that would guide future permits associated with the proposed development. DPO13 as proposed includes requirements for the following documents as part of the future Development Plan:

- **Masterplan** to guide future land use and built form, including developed areas public open space;
- **Landscape Masterplan** to guide amenity and ecology of future vegetation;
- **Integrated Transport Management Plan** to guide design of road and shared path networks as well as access by pedestrians, cyclists, and cars as well as future provision for public transport;
- **Integrated Water Management Plan** to guide the approach to stormwater management and flood mitigation, including implementation of water sensitive urban design (WSUD).

The proposed DPO13 would also require the following as Conditions and Requirements for Permits:

- Compliance with the DCA setting up the provision of community infrastructure delivery and contributions by the developer;
- Small Lots Code to guide permit approvals for any lots under 300 square meters;
- Environmental Management Plan to guide construction activities.

DPO13 would allow minor works to be completed prior to the completion of a Development Plan, including those related to rehabilitation of the creek corridor, site remediation works, maintenance or demolition of existing buildings, and certain minor subdivisions.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

Amendment C142 would also remove the existing Land Subject to Inundation Overlay (LSIO) from parts of the site that would be filled as part of the development. The LSIO would remain for areas outside the development and active open space areas that remain within the 1 in 100-year ARI floodplain.

Amendment C142 would also add the Council land at Wellington Road Reserve to Schedule 2 of Clause 52.02, which would allow the reserve on title to be removed without a separate permit. This change would allow for residential development on the site in the future, and would facilitate the future proposed sale of land for that purpose. The proposed sale of land would only go through if the rezoning is approved and Council agrees to proceed with the sale after completing the required disposal of land process. That process is outlined in a separate report entitled "Proposed Sale of Council Property – Part Wellington Road Reserve, Rowville" for consideration by Council at this same meeting.

3. CONSULTATION

The scale of the development and the significant technical challenges related to access, flooding, biodiversity, and local amenity have required an extensive process of technical review and coordination. The review of the rezoning and redevelopment application has included input from multiple teams at Council as well as Melbourne Water, VicRoads, and ConnectEast (EastLink). This coordination process undertaken over the past two years has sought to address Council priorities related to housing diversity, social and affordable housing, flooding and stormwater infrastructure, access and transport infrastructure, public open space, sport and community facilities, environment and biodiversity, and neighbourhood amenity.

Melbourne Water have played a large role in the development of a proposed design that address the flooding and stormwater quality requirements of the Corhanwarrabul Creek and Rowville Main Drain catchments. They commissioned a third-party review of the stormwater and flooding proposal and provided agreement-in-principle for the purposes of exhibition of the proposed planning scheme amendment. Melbourne Water continue to be involved in the more detailed design work underway as an approval authority for a future Development Plan.

Pask Group held a community information session of their own on 9 December 2016, which was attended by approximately 50-60 residents. Council officers from the Strategic Planning team attended this session to answer community questions about a potential future amendment process, should Council decide to progress one. At that meeting, Pask Group and their consultants provided display boards describing various aspects of the proposed development, answered residents' questions about their proposed concept, and heard community concerns and ideas to guide their design process going forward.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

For the purpose of public exhibition, all landowners and residents near to the Kingston Links Golf Course site and relevant authorities will be informed of the proposed Planning Scheme Amendment by mail. This is proposed to include all adjacent landowners, residential properties west of Stud Road between Wellington Road and Emmeline Row, properties within the Stamford Business Estate off Emmeline Row, and commercial properties to the south along Wellington Road.

The amount of technical and design work in the review of the application has produced a well-vetted planning scheme amendment as well as a draft Development Plan supported by over 20 reports by technical experts. These draft plans and reports will be made available by Pask Group during the exhibition of Amendment C142 and the public consultation for the proposed sale of Council land at Wellington Road Reserve. While they are not included in the formal Planning Scheme Amendment documents, they are expected to provide important context to the community members and expected Planning Panel who will be evaluating comments and recommendations to Council on the proposed development. The Development Plan and supporting materials will continue to be refined throughout the amendment process as public comments are received and considered.

The expectation is that a full Development Plan will be ready for Council review shortly after a decision on Amendment C142 is made by the Minister for Planning, should it reach that point in the process.

4. ENVIRONMENTAL/AMENITY ISSUES

The ecology of the Kingston Links Golf Course site is currently characterised by introduced landscapes and exotic vegetation. The redevelopment proposal maintains the Environmental Significance Overlay (ESO) along the Corhanwarrabul Creek corridor, and includes rehabilitation works and the planting of indigenous species on site. The approach seeks to extend and enhance the ecological corridors along the creek and in the parklands at Stamford Park upstream of the site.

The development adopts principles of Water Sensitive Urban Design (WSUD) to provide a best practice approach to the management of stormwater on site. That includes best practice for water quality with the introduction of new wetlands to filter runoff before it reaches the Corhanwarrabul Creek.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

The addition of a new road link to the Kingston Links Golf Course site via Emmeline Row is required to support the development as proposed. It would result in additional traffic passing through the new residential estate at Stamford Park. The primary road through that estate has been designed to accommodate a volume of traffic that could be expected for a development of the size and scale as the current proposal. The details of these current traffic estimates are the subject of ongoing review by Council and VicRoads. Proposed DPO13 includes a requirement for an Integrated Transport Management Plan that demonstrates how access will be provided and how identified issues will be mitigated.

5. FINANCIAL & ECONOMIC IMPLICATIONS

A new development of residential, commercial, and community uses in Rowville could help provide homes and community assets for a part of Knox that is currently experiencing growth and changing community needs. The developer estimates the development would generate around \$435 million in capital investment that would create 2,610 construction-related jobs over the life of the project. These estimates also include 75 on-site jobs directly supported on an ongoing basis, with another 100 jobs indirectly created in the wider economy.

Council has reached agreement-in-principle with Pask on a voluntary package of community infrastructure contributions as outlined in Section 2.5. These include a mix of cash contributions and in-kind construction of stormwater infrastructure; transport infrastructure; active and passive open space; community facilities; and social housing.

6. SOCIAL IMPLICATIONS

The cash and land contribution to social housing would help address an important community need. The level of demand and relative shortfall of social housing has been established through Council's own research, and this proposal delivers on the opportunity identified in Council's *Affordable Housing Action Plan* to provide new social housing when Strategic Investigation Sites are rezoned for residential use.

The proposed development provides potential benefits for housing affordability and choice by providing a range of housing types that would add to the diversity of housing available locally. The smaller townhouse and apartments along with the standard detached housing proposed would provide different housing options at different price points than are widely available in Rowville today.

The development proposal includes significant amounts of new public open space for both passive recreation and active sporting uses. The delivery of new soccer pitches and an oval would address an identified shortage of sports fields in the area and help accommodate a growing demand for soccer, which has been driven in part by increasing female participation. The construction of a new multi-use pavilion with both male and female change rooms would provide an inclusive meeting space for sports and other community activities.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

The proposed contribution toward a new Men's Shed in the area would provide another community facility in the area. While these types of facilities typically serve a wide section of the community, they have often provided particular benefits to those dealing with social isolation and mental health by bringing people of all ages together in a communal setting.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

A future redevelopment of the Kingston Links Golf Course site into a new residential neighbourhood, complete with community infrastructure and commercial areas serving the immediate area and surrounding neighbourhoods, could address a number of objectives of the City Plan across all five themes of the Knox Vision:

- Healthy, Connected Communities
- Prosperous, Advancing Economy
- Vibrant & Sustainable Built & Natural Environment
- Culturally Rich & Active Communities
- Democratic & Engaged Communities

8. CONCLUSION

The Kingston Links Golf Course is identified in the *Knox Housing Strategy 2015* as a 'Strategic Investigation Site' that could support future redevelopment pending a process to rezone the land for a mix of residential and commercial uses. The owners of the site have submitted a rezoning and redevelopment application to Council and have undertaken an extensive process of review and coordination with multiple Council teams, Melbourne Water, VicRoads, and ConnectEast. This process has sought to address identified Council priorities related to housing diversity, social and affordable housing, flooding and stormwater infrastructure, access and transport infrastructure, public open space, sport and community facilities, environment and biodiversity, and neighbourhood amenity.

The result of this coordination is Amendment C142 to the Knox Planning Scheme, which would rezone the site for residential, mixed use, and public open space and apply a new Schedule 13 to the Development Plan Overlay that would set requirements for a future Development Plan. This report supports the proposed rezoning as set out in Appendix C, and recommends that Council seek authorisation from the Minister for Planning to exhibit the amendment once the DCA (Section 173 Agreement) has been executed on the terms set out in the confidential Terms Sheet in Appendix D.

13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**9. CONFIDENTIALITY**

The Term Sheet describing proposed community infrastructure contributions (Appendix D) is considered commercial-in-confidence until such time as a DCA (Section 173 Agreement) is signed by both Pask and Council.

COUNCIL RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. HOLLAND

That Council:

1. Note the Concept Layout Plan (Appendix A) and Planning Report (Appendix B) for the proposed redevelopment of the Kingston Links Golf Course site (14 Corporate Avenue, Rowville) as prepared by Tract on behalf of the Pask Group;
2. Subject to proposed resolutions numbered 3 and 4, endorse the form of the:
 - a. proposed Planning Scheme Amendment C142 (Appendix C); and
 - b. the Terms Sheet for proposed Developer Contributions (Appendix D);
3. Recognise that Council has not yet resolved to sell the Council Land (part 889R Wellington Road, Rowville) that focuses part of this amendment and if this sale does not occur, Amendment C142 is likely to require modification;
4. Not send Amendment C142 to the Minister to approve exhibition until the Pask Group have signed the Development Contribution Agreement contemplated at proposed resolution 5;
5. Authorise the Chief Executive Officer of Council to finalise negotiations with the Pask Group and execute a Development Contribution Agreement (including in the form of a Section 173 Agreement) that gives effect to the Terms Sheet;
6. Seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C142 after the Development Contribution Section 173 Agreement is agreed to and signed by Council and the Pask Group;









13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**Resolution (cont'd)**

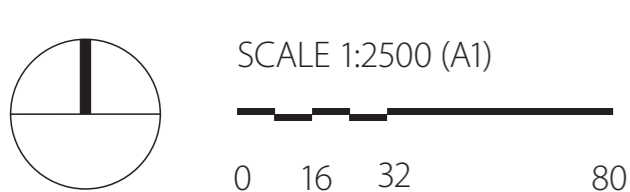
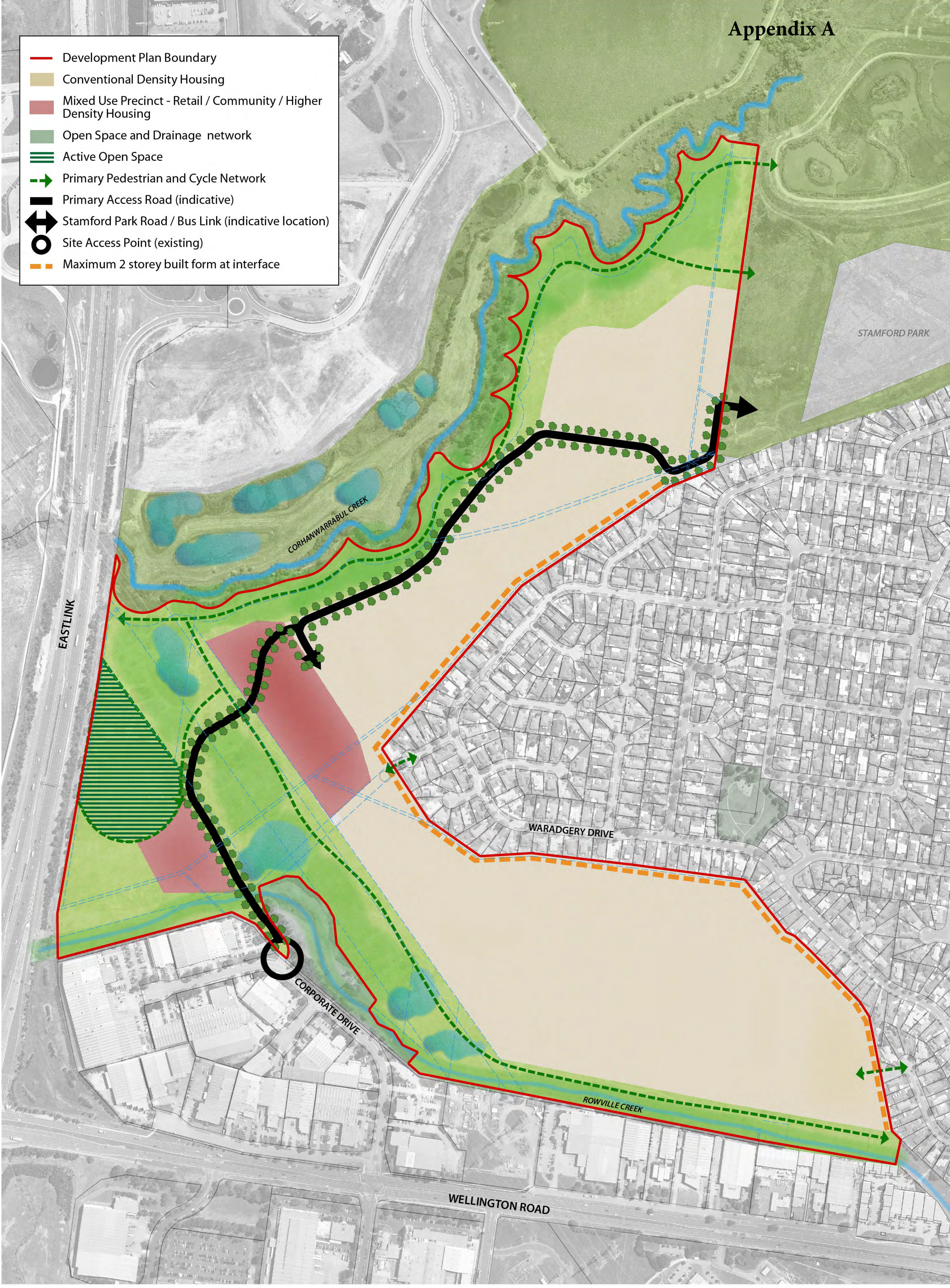
7. Authorise the Director – City Development to make minor changes to Planning Scheme Amendment C142 documentation, where the changes do not affect the purpose or intent of the Amendment;
8. Confirms that the Terms Sheet (Appendix D) is a confidential item.

CARRIED

Official Minutes of Knox City Council

Appendix A

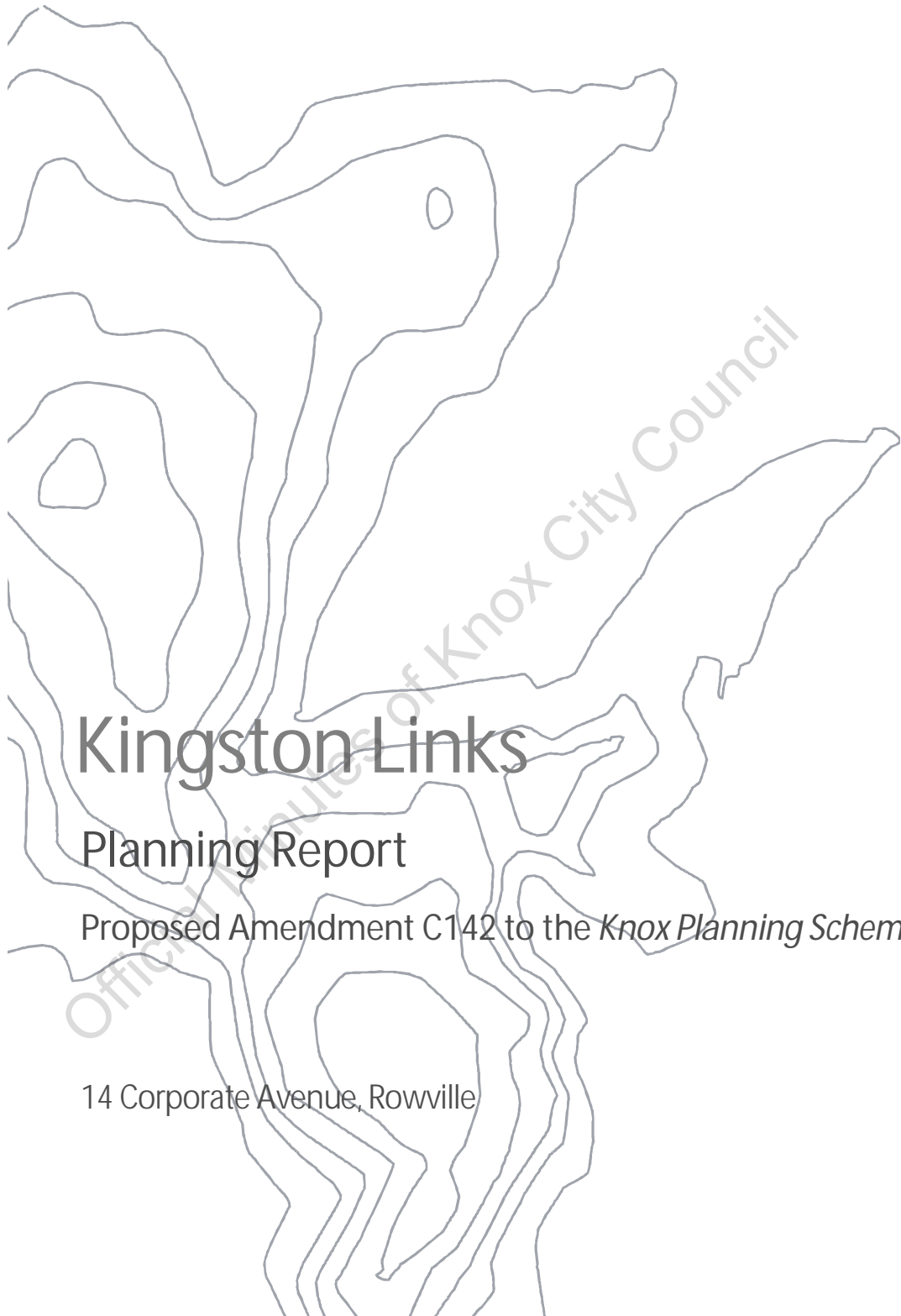
-  Development Plan Boundary
-  Conventional Density Housing
-  Mixed Use Precinct - Retail / Community / Higher Density Housing
-  Open Space and Drainage network
-  Active Open Space
-  Primary Pedestrian and Cycle Network
-  Primary Access Road (indicative)
-  Stamford Park Road / Bus Link (indicative location)
-  Site Access Point (existing)
-  Maximum 2 storey built form at interface



Concept layout plan
Kingston Links

Tract
Landscape Architects
Urban Designers
Town Planners

Tract



Kingston Links

Planning Report

Proposed Amendment C142 to the *Knox Planning Scheme*

14 Corporate Avenue, Rowville

Prepared by Tract Consultants
for Pask Group

0314-0744 R01_3 12 May 2017

195 Lennox St, RICHMOND 3121
Phone: (03) 9429 6133
www.tract.com.au

Executive Summary

Background

Applicant/Owner	Pask Group
Addresses	14 Corporate Avenue, Rowville (the 'Site')
Lot Description	Lot 1 on PS421343
Local Government Area	City of Knox
Existing Zone	Special Use Zone – Schedule 1 (SUZ1)
Existing Overlays	Environmental Significance Overlay – Schedule 2 (ESO2) Land Subject to Inundation Overlay (LSIO)
Current Use and Development	The Site is used and developed as the Kingston Links Golf Course.

Planning Scheme Amendment

Proposal	<p>It is proposed to rezone the Site from the Special Use Zone – Schedule 1 predominantly to the General Residential Zone – Schedule 1. The proposal also applies the Public Park and Recreation Zone adjacent the Site's riparian (northern) boundary and the Mixed Use Zone to a small precinct within the Site.</p> <p>It is also proposed to delete part of the Site's Land Subject to Inundation Overlay and to apply the Development Plan Overlay – Schedule 13 to the Site. The proposal does not affect the Site's Environmental Significance Overlay – Schedule 2.</p>
Strategic Merit	The proposed amendment is consistent with Victorian planning objectives and in particular the <i>Knox Planning Scheme</i> and <i>Plan Melbourne</i> .
Recommendation	Council is respectfully requested to forward this Planning Scheme Amendment to the Minister for Planning pursuant to section 9(2) of the <i>Planning and Environment Act 1987</i> .

Quality Assurance - Report Record

Project Name	Kingston Links
Document Number	R01
Revision (see below)	03
Prepared By	Ben Daly
Reviewed By	Luke Chamberlain
Approved By	Luke Chamberlain
Date of Issue	12 May 2017

Revision Status- all revisions must be identified by the following information

Revision Number	03
Description of Revision	Edits following negotiated outcome with Council.
Prepared By	BD
Reviewed By	LC
Pages Revised	All

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1 INTRODUCTION

1.1 Overview

This report has been prepared on behalf of Pask Group in respect of a planning scheme amendment request concerning the proposed rezoning of Kingston Links Golf Course (the 'Golf Course') located at 14 Corporate Avenue, Rowville (the 'Site'). The proposed rezoning also seeks to rezone the Site's contiguous Council-owned Special Use Zone properties which, together with the Site, form the broader 'Amendment Area'.

In summary, the planning scheme amendment request seeks to:

- Rezone the Amendment Area from the Special Use Zone – Schedule 1 predominantly to the General Residential Zone – Schedule 1 and also to the Public Park and Recreation Zone and the Mixed Use Zone.
- Delete of part of the Amendment Area's Land Subject to Inundation Overlay.
- Apply the Development Plan Overlay – Schedule 13 across the full extent of the Amendment Area.

1.2 Vision

The vision for the project is:

- *To create a vibrant and sustainable residential community with generous landscaping and open space, a central mixed use precinct, and seamless integration with the surrounding natural environment, community, and urban form.*

1.3 Report Structure

This report describes the Site and its context (Chapter 2) before detailing the planning scheme amendment request (Chapter 3).

The planning framework is then outlined (Chapter 4) before the proposal is assessed against these identified relevant Ministerial Directions, Practice Notes, and provisions of the *Knox Planning Scheme* (Chapter 5). The report concludes at Chapter 6.

Certificate of title are included at Appendix 1.

2 URBAN CONTEXT REVIEW

2.1 Site and Amendment Area Definition

The Site address is 14 Corporate Avenue, Rowville. The Site is known formally on Certificate of Title as Lot 1 on PS421343.

Discussed further at **Chapter 3 – Proposal**, the proposed rezoning also includes three Council-owned reserves which are each located within the Special Use Zone precinct and contiguous to the Site. These reserves are described at Section 2.4 below.

Refer **Figure 1 – Amendment Area and Cadastral Configuration**.

2.2 Site Locality

Located in the suburb of Rowville and approximately 30 kilometres south-east of Melbourne's CBD, the Site is positioned within the north-east quadrant of the intersection between Wellington Road and the Eastlink Freeway.

2.3 Site Interfaces

The Site's immediate interfaces are summarised as follows:

- **North:** Corhanwarrabul Creek forms the Golf Course's northern boundary. This is an environmentally sensitive landscape protected by the Environmental Significance Overlay (Schedule 2). This interface also has an important drainage and inundation function reflected by the application of the Urban Flood Zone immediately north of the Site.
- **North-east:** Stamford Park, further described below, forms the Site's north-eastern boundary.
- **East:** The Site wraps around residential development to the east which generally comprises conventional single dwelling form, with some minor infill townhouse development.
- **South:** Separating the Site from Wellington Road is a Council-owned tree reserve ('the Tree Reserve') and a Council-owned drainage reserve ('the Southern Drainage Reserve') described further below. South-adjacent to the tree reserve is a precinct of Commercial 2 Zone land which generally comprises lots larger than 3000sqm. This interface masks much of the view of the Site from Wellington Road with commercial-industrial buildings presenting to the Site as an inactive interface.
- **South-east:** The Site's south-east corner abuts a Council-owned drainage reserve ('the South-eastern Drainage Reserve') further described below.
- **West:** Eastlink Freeway forms the Site's western boundary.

2.4 Adjoining Reserves

The Site adjoins four Council-owned reserves each described below. This presents an opportunity to work with Council to integrate the proposed residential community with these public assets.

Stamford Park

To the Site's north-east is the Stamford Park reserve which is owned and managed by the City of Knox.

Stamford Park is accessed from Stud Road (Category 1 Road Zone) via Enterprise Drive and includes the Council owned Stamford House heritage building.

Prepared on behalf of Council for this area, the *Stamford Park Master Plan* (July 2014) envisions that the historic homestead will be used for community uses, café, functions, and events.

Council's land includes recently zoned residential land that has not yet been developed.

Tree Reserve

Formally known as Lot RES1 on PS421343, the Tree Reserve is a linear lot of approximately 5m in width which runs along the Site's southern boundary for a length of approximately 1,150m. The Tree Reserve has an area of 5,748sqm.

To its east is the South-eastern Drainage Reserve and to its west is the Eastlink Freeway road reserve. To the south is the Commercial 2 zoned employment precinct.

Located within the Special Use Zone, the Tree Reserve is owned by Knox City Council. On PS421343V, this lot is labelled as 'Reserve No 1' and is annotated as "Reserve for Drainage & Municipal Purposes."

Southern Drainage Reserve

Known formally as Lot RES on PS325008, the Southern Drainage Reserve is an irregular shaped lot with an area of 1.728 ha. To its south this lot has a frontage to Corporate Avenue of approximately 185m and is otherwise enclosed by the Golf Course to its north, east, and west.

Located within the Special Use Zone, the Southern Drainage Reserve is owned by Knox City Council. On PS325008W this lot is labelled as 'Reserve No. 1' and is annotated as "Reserve for Drainage & Municipal Purposes."

South-eastern Drainage Reserve

Located adjacent to the Site's south-east corner, the South-eastern Drainage Reserve is owned by Knox City Council, is located within the Special Use Zone, and comprises the following three lots:

- Lot RES1 on LP215334, being the west-most of the three lots. Located to the immediate east of the Golf Course, this lot shares a common boundary of approximately 330m with the Golf Course. Similarly, this lot is located to the immediate east of the Tree Reserve to which it shares a common boundary of approximately 5m. This lot has an area of 2.944 ha.
- Lot 1 on TP887516, being at the middle of three lots. This lot has an area of 8824sqm.
- Lot RES1 on PS331610, being the east-most of the three lots. This lot has an area of 548sqm and is annotated on PS331610A as "Reserve No 1 for use of Roads Corporation Part of Drainage Reserve. To its south-east, this lot has a frontage to Wellington Road of approximately 32m.

Collectively, the irregularly shaped South-eastern Drainage Reserve has an area of approximately 3.88 ha. The reserve's northern and eastern boundaries run along the backs of adjoining residential lots. To the South of the reserve is an employment precinct which fronts to Wellington Road and comprises Commercial 2 Zone land.

The South-eastern Drainage Reserve contains a drainage channel connecting overland flow paths from the Site to reticulated infrastructure within Wellington Road.

In its current form, the Drainage Reserve is an isolated pocket between the south-east corner of the golf course and a drain outlet under Wellington Road. Council has indicated that it is open to finding a way of integrating its holding into the proposed residential community as it currently has a limited population catchment and limited access.

Refer **Figure 1- Amendment Area and Cadastral Configuration**.

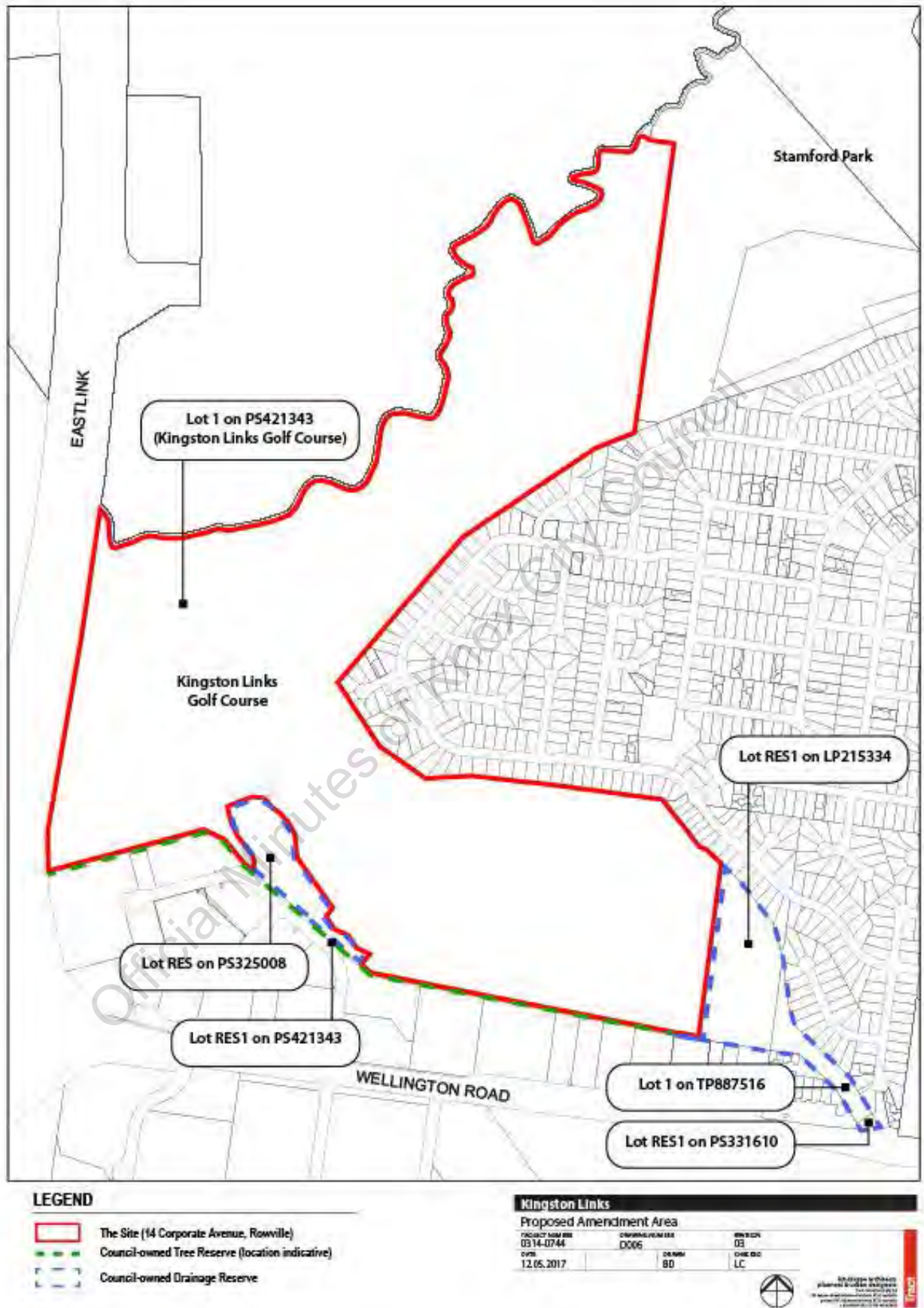


Figure 1 – Amendment Area (and Cadastral Configuration)

(Note: The Amendment Area includes the Site, the Tree Reserve, and the two Drainage Reserves).

2.5 Local Context

The Site sits in the well-located residential and mixed-use environs of Rowville.

To the north of the Site is the Carribean Business Park which, when fully complete, is expected to generate 20,000 jobs (Page 20, *Kingston Links Golf Course Demand Assessment*, Deep End).

To the Site's north-east is the Stamford Park reserve which is owned and managed by the City of Knox. Prepared on behalf of Council for the homestead, the *Stamford Park Master Plan* (July 2014) envisions that the historic homestead will be used for community uses, café, functions, and events. Council's land includes recently zoned residential land that has not yet been developed.

East of Stud Road is the Stud Park Shopping Centre. This is identified in Council documents as a Major Activity Centre which includes specialty retailing, supermarket and discount department store. A number of supporting businesses operate around the core retail centre.

Residential development to the east is generally conventional single dwelling form, with some minor infill townhouse development. A retirement village is located directly north east of the Stud Park Shopping Centre.

Commercial land use to the south along Wellington Road is generally warehouse and service industrial. There are no known industrial uses in this area that rely on significant buffers to meet EPA requirements.

Both industrial and residential form surrounding the Site present a 'garden suburban' feel, consistent with Council policies as discussed below.

Refer **Figure 2 – Site Context Plan**.



Figure 2 – Site Context Plan

2.6 Site Features

The following section outlines key features of the Site. Refer **Figure 3 – Site Features and Interfaces Plan** for a graphical representation of these features.

2.6.1 Built Form

While largely devoid of built form, the Site contains the following Golf Course associated buildings:

- A centrally located, single-storey 'club house' and separate 'health and fitness centre' which are both large format buildings of low architectural value. These buildings are surrounded by extensive at-grade car parking and are accessed via a public sealed road, being the continuation of Corporate Avenue.
- A single storey driving range structure and associated car parking area is located to the south-west of club house adjacent to the Site's western boundary.
- Several maintenance sheds are configured adjacent to the western boundary of the Site and north of the driving range.

2.6.2 Access

The current road access to the Site is provided from the south via Corporate Avenue, a sealed road which connects the Site to a signalised intersection with Wellington Road.

Wellington Road is a Road Zone – Category 1, being an east-west arterial road which connects the Site to the Eastlink, the Monash Freeway, and by extension Melbourne's CBD and the broader metropolitan area.

There is currently no access to the north of the Site. However, access is contemplated in the Stamford Park Master Plan by linking Emmeline Row with The Site at the Site's north-east corner. This is also supported in the Panel Report for Amendment C93 to the Knox Planning Scheme.

2.6.3 Topography and Inundation

The Site's natural topography has been significantly altered as a result of its development into a golf course. The Site's modified topography is gently undulating and inclusive of raised tees and greens, sand bunkers, ponds, and other features typical of golf courses.

In its current form, the land is partially subject to inundation. The Site contributes to water catchment storage including through a number of landscaped water features which act as part of its water retention system. The Site forms part of the broader drainage basin of the Corhanwarrabul Creek and Dandenong Creek catchments.

2.6.4 Landscape and Vegetation

Akin to its topography, the Site's natural landscape and vegetation have been significantly manipulated as a result of its development into a golf course.

Much of the eastern perimeter to adjoining residential land is vegetated with a tree reserve restricting views into the Site from the residential properties. Additionally, there is also planting along the southern easement line, shielding views of industrial development to the south and south west of the Site.

Whilst the Site is generally open, along the Corhanwarrabul Creek there is larger planting scattered along the drainage line.

The Site benefits from the borrowed landscapes of the Corhanwarrabul Creek corridor including, in particular, views of the Dandenong Ranges.

2.6.5 Flora and Fauna

Flora and Fauna analysis undertaken by Ecology & Heritage Partners has recorded the following account of biodiversity at the Site:

- Flora
 - 81 flora species (40 indigenous, 41 non-indigenous) are known to inhabit the Site, none of which are considered 'significant' species.
 - Vegetation on the Site does not meet the condition thresholds that define any significant ecological communities.
 - Having undergone intensive landscaping approximately 20 years ago, little remnant vegetation remains within the study area aside from an occasional scattered indigenous tree, with the exception being the land directly adjoining the Corhanwarrabul Creek Corridor which has not been subject to earthworks and therefore retains remnant riparian vegetation.

- Swampy Woodland (EVC 937), Swampy Riparian Woodland (EVC 83), and Floodplain Reedbed (EVC 863) vegetation communities were identified along the creek line in varying states of quality.
- Fauna
 - 45 fauna species are known to inhabit the Site. These comprise 35 birds (30 native, 5 introduced), three introduced mammals, one introduced fish, and six native frog species. Of these, one species (the Blue-billed Duck) is considered State significant.
 - Suitable foraging habitat for additional State-listed fauna species (Powerful Owl, Barking Owl, Sooty Owl, Musk Duck, Australasian Shoveler, Hardhead, Eastern Great Egret, Little Egret, and Baillon's Crane).
 - It is also considered that two additional fauna species of national significance (Grey-headed Flying Fox and Swift Parrot) are likely to visit the Site.
 - Targeted surveys were undertaken for the Growling Grass Frog during the 2012/13 and 2015/16. Despite optimal conditions, no Growling Grass Frogs were recorded during these targeted surveys.
 - Targeted surveys for Dwarf Galaxias did not detect presence of this species.
 - There are limited records of Platypus occurring within 10km of the study area, however, no evidence of this species was detected during field investigations.

Refer 'Detailed Flora and Fauna Assessment, Kingston Links Golf Course' (Ecology & Heritage Partners, July 2016).

2.6.6 Views

Views from the Site are generally localised to corridors along the Corhanwarrabul Creek. There are key views of the Dandenong Ranges, particularly when viewed from within the creek valley to the east. There are less dominant views west toward Waverley Park, notably the Sir Kenneth Luke Grandstand visible above the now residential form of the former VFL football ground. A more limited view of Wheelers Hill and the Police Academy training centre is also possible from parts of the Site.

Direct views into the Site are somewhat limited due to its low-lying location. However, the residential land to the east rises up from the Site, with some houses in this area having views across the Site toward Eastlink and the Dandenong Creek reserve west of Eastlink. This includes distant views to the grandstand of the former Waverley Park and the Police Academy tower at Wheelers Hill. However, this view is somewhat impeded by a significant planting of trees along the Site's eastern residential boundary which provide a visual barrier to the Site.

The north east peninsula of the Site sits beyond the currently defined view arc from Stamford Park. This view line, identified in DPO6 and DPO9 of the Knox Planning Scheme, currently assumes the Kingston Links land remains a golf course.

2.6.7 Easements and Encumbrances

A drainage easement and drainage line separates the Site from the commercial- industrial area to the south and south west.

The south west of the Site is encumbered with a high voltage power easement and power lines which dissects the land.

Refer **Figure 3 – Site Features and Interfaces Plan**.

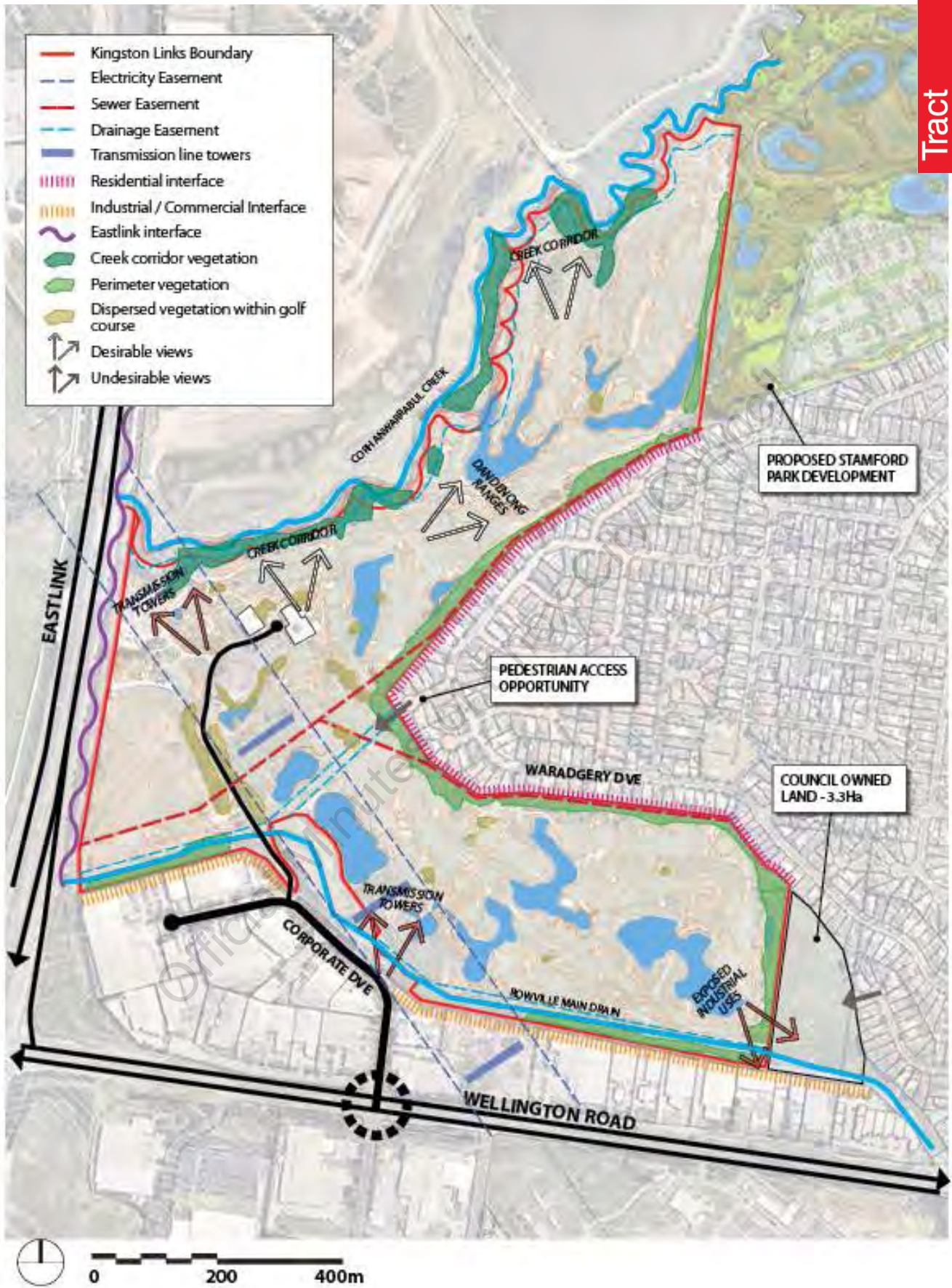


Figure 3 – Site features and Interface Plan

2.7 Site Controls

2.7.1 Zones

The entire Amendment Area is currently located within the Special Use Zone – Schedule 1 ('SUZ1').

The purpose of the SUZ1 is:

- *To recognise the use of private facilities including community, sporting leisure, recreation, education and religious facilities.*
- *To ensure that flood risk is taken into consideration for use or development of facilities on or near land subject to flooding.*

Refer Figure 4 – **Existing Zone Plan.**

2.7.2 Overlays

The Amendment Area is currently affected in part by the Land Subject to Inundation Overlay ('LSIO') and the Environmental Significance Overlay – Schedule 3 ('ESO3').

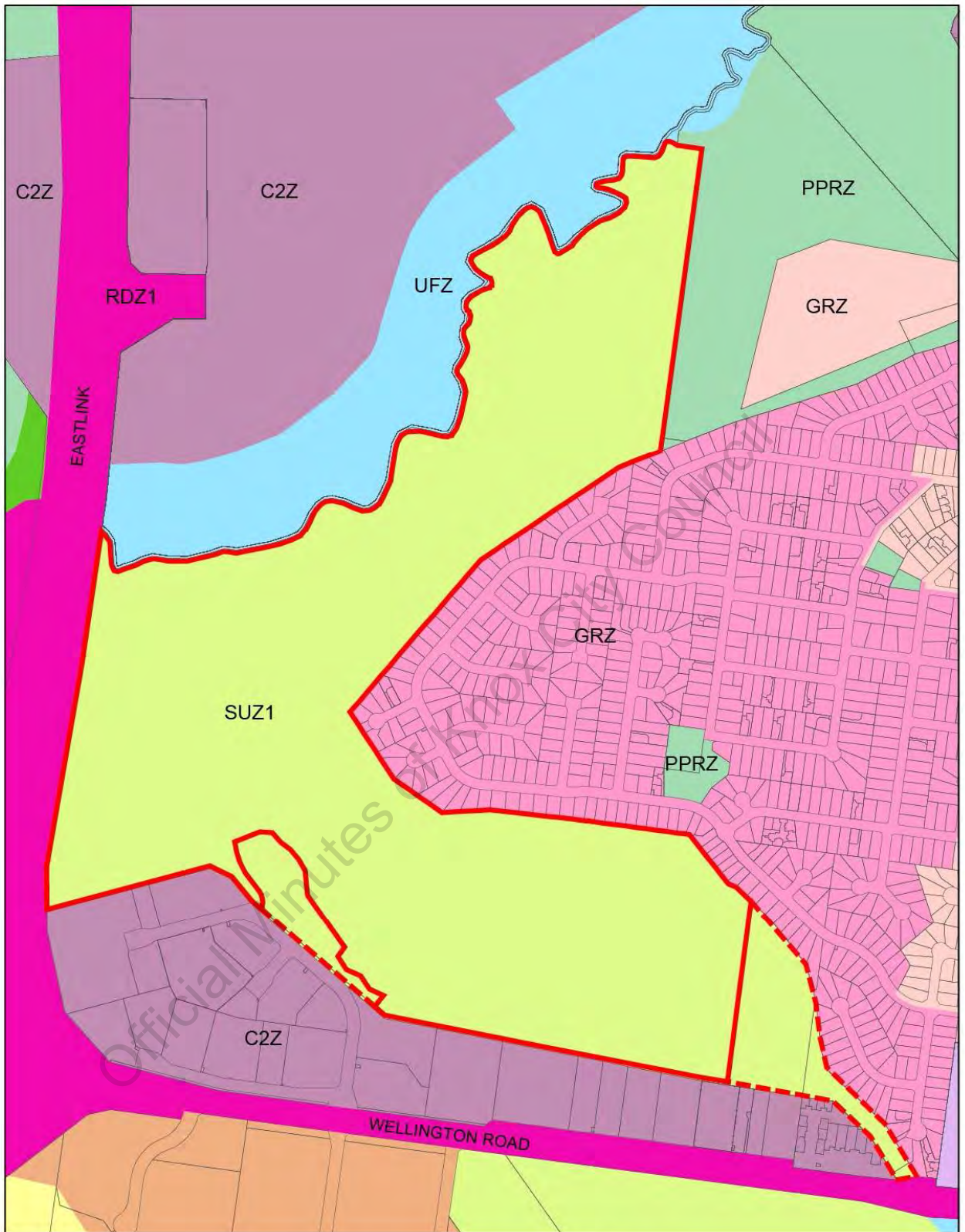
The purpose of the LSIO is:

- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

The purpose of the ESO is:

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Refer **Figure 5 – Existing Overlay Plan.**



LEGEND

- The Site
- Broader Amendment Area

Kingston Links

Existing Zone Plan

PROJECT NUMBER 0314-0744	DRAWING NUMBER D003	REVISION 03
DATE 12-05-2017	DRAWN BD	CHECKED LC



landscape architects
planners & urban designers
100 Harbour Street, Suite 200, Victoria 3181
Ph: 9429 9111 | Fax: 9429 9112



Figure 4 – Existing Zone Plan

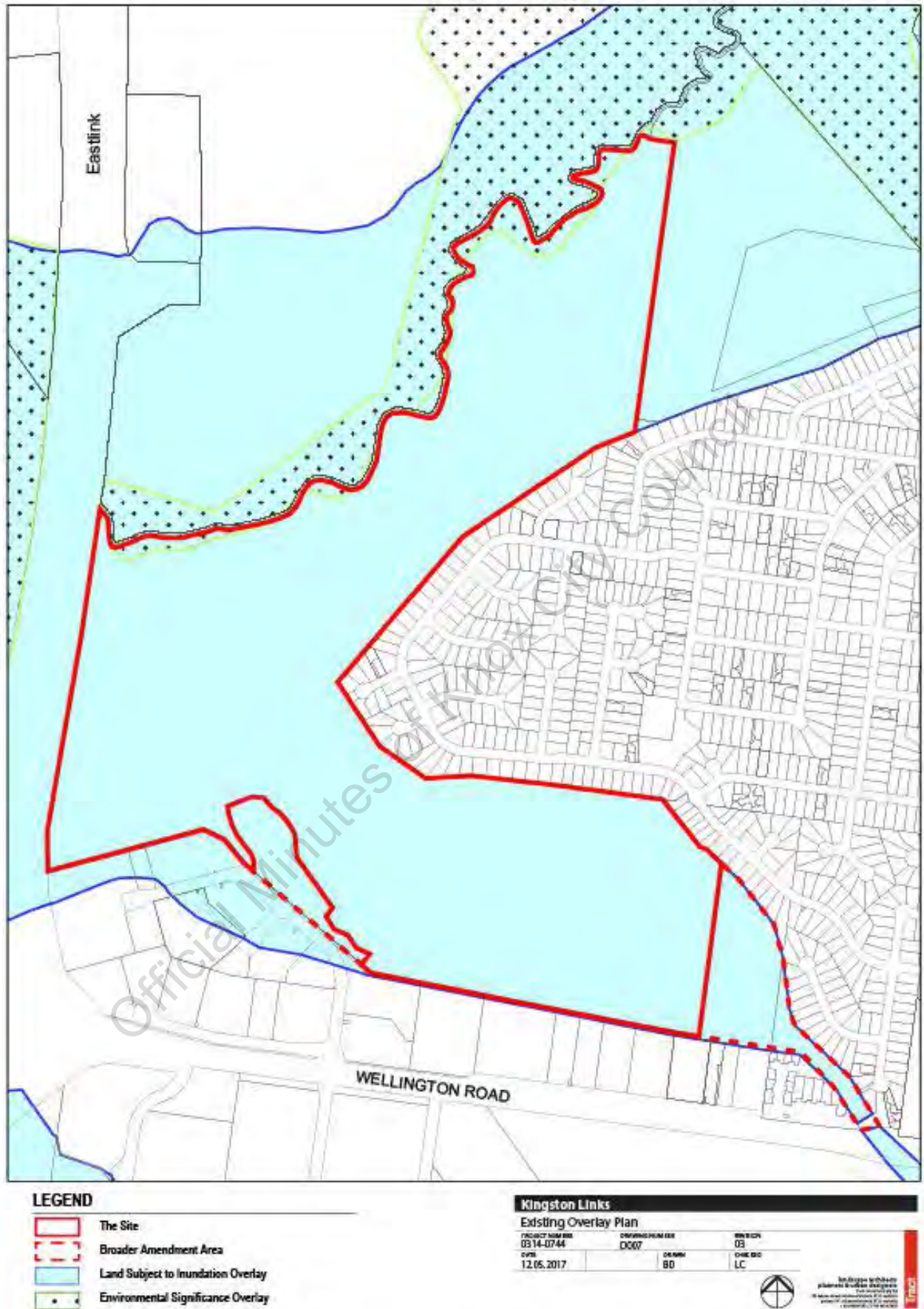


Figure 5 – Existing Overlay Plan

(Note: Only overlays directly affecting the Amendment Area are depicted)

3 THE PROPOSAL

This chapter first describes the proposal to rezone the land at 14 Corporate Avenue, Rowville (the 'Site') before considering the broader precinct. In addition to the Site, the broader precinct comprises pockets of Council-owned SUZ land which would present a somewhat anomalous land use configuration if the Site was rezoned in isolation.

To avoid a potentially anomalous land use configuration, and to clearly unite the existing and proposed community at Rowville, this chapter proposes a 'precinct amendment' which includes the Site and all contiguous SUZ properties.

Refer **Figure 6 – Proposed Zone Plan** and **Figure 7 – Proposed Overlay Plan**.

3.1 The Site

It is proposed to rezone the Site from the Special Use Zone – Schedule 1 to the General Residential Zone – Schedule 1 ('GRZ1'). This GRZ is proposed to be complemented by the application of the Public Park and Recreation Zone ('PPRZ') to the Site's riparian (northern) boundary and by the Mixed Use Zone ('MUZ') to a centrally located precinct.

It is also proposed to apply the Development Plan Overlay – Schedule 13 to the Site and to delete part of the Site's Land Subject to Inundation Overlay. The Site's Environmental Significance Overlay – Schedule 2 is unaffected by the proposal.

3.1.1 Site Rezoning

General Residential Zone (Schedule 1)

It is proposed to predominantly rezone the Site to the GRZ1. The General Residential Zone was introduced into the Victoria Planning Provisions (VPPs) on 1 July 2014 as part of the former State Government's residential zones reform. A new General Residential Zone was introduced into the VPPs by Amendment VC110 on 27 March 2017.

The General Residential Zone seeks:

- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.*

Under the provisions of the General Residential Zone, use of the Site for residential purposes ('dwelling') is as of right, meaning a planning permit is not required for this use. A planning permit would be required for subdivision and for certain buildings and works triggers.

In its current form, Schedule 1 to the General Residential Zone does not specify any additional requirements. Accordingly, future residential use of the type intended within the GRZ could occur on the Site without a further planning permit.

Mixed Use Zone

It is proposed to rezone part of the Site to the MUZ.

The Mixed Use Zone seeks:

- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

The MUZ would provide the flexibility for commercial, community and higher density residential forms and uses across a limited portion of the Site.

Public Park and Recreation Zone

It is proposed to rezone part of the land south of the Site's riparian (northern) boundary to the PPRZ.

The Public Park and Recreation Zone seeks:

- *To recognise areas for public recreation and open space.*
- *To protect and conserve areas of significance where appropriate.*
- *To provide for commercial uses where appropriate.*

Application of the PPRZ to this portion of the Site would protect a number of important environmental features of the corridor identified by Ecology and Heritage Partners (refer **Section 2.4.5** above) and would create a logical and unbroken continuation of the existing PPRZ to the Site's north-east.

3.1.2 Site Overlay Changes

Land Subject to Inundation Overlay

The LSIO currently covers the full extent of the Site. It is proposed to delete part of the LSIO consistent with stormwater modelling undertaken by Water Technology to the satisfaction of Melbourne Water.

The purpose of the LSIO is set out at Section 2.5 above.

Stormwater modelling has been undertaken by Water Technology which confirms that the loss of floodplain storage as a result of the development can be balanced by the proposed floodplain earthworks.

Development Plan Overlay (Schedule 13)

It is proposed to apply the DPO – Schedule 13 across the full extent of the Site to guide its future residential and mixed use development.

The Development Plan Overlay seeks:

- *To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.*

Reflecting the provisions of local planning policies in the *Knox Planning Scheme*, the development plan process will establish a framework to guide the Site's development.

3.2 Council-Owned Land

In considering how the proposal would affect the coherence of its surrounding land use pattern, rezoning the Site in isolation of its contiguous SUZ land could create a potentially anomalous land use configuration.

Specifically, the Southern Drainage Reserve (Lot RES on PS325008), the Tree Reserve (Lot RES1 on PS421343), and the South-Eastern Drainage Reserve (Lot RES1 on LP215334; Lot 1 on TP887516; Lot RES1 on PS331610), each identified in **Figure 1 – Cadastral Configuration** above, would become somewhat isolated pockets of SUZ land.

While these properties would technically remain connected via the 5m wide Tree Reserve, consideration should be given to the role, function, and appropriate zoning of all three of these Council-owned reserves in the context of the proposal.

South-eastern and Southern Drainage Reserves

Following the proposed revision to the LSIO and the associated earthworks required to raise the level of the Site, the role of both the South-eastern and Southern drainage reserves in the storage and passage of stormwater will be significantly reduced.

It follows that the relevant purpose of its current zone, being "To ensure that flood risk is taken into consideration for use or development of facilities on or near land subject to flooding", would become less relevant to the land.

The other purpose of the SUZ1, being "To recognise the use of private facilities including community, sporting leisure, recreation, education and religious facilities" (our emphasis added), would become redundant given the land is publically owned.

Tree Reserve

The Tree Reserve has a width of 5m. Given the scale of the plan, this parcel is not clearly discernible on the Proposed Rezoning Plan. The Tree Reserve has no significant drainage function in its current state. In the proposed post-development scenario, the Tree Reserve's drainage function would be even less significant.

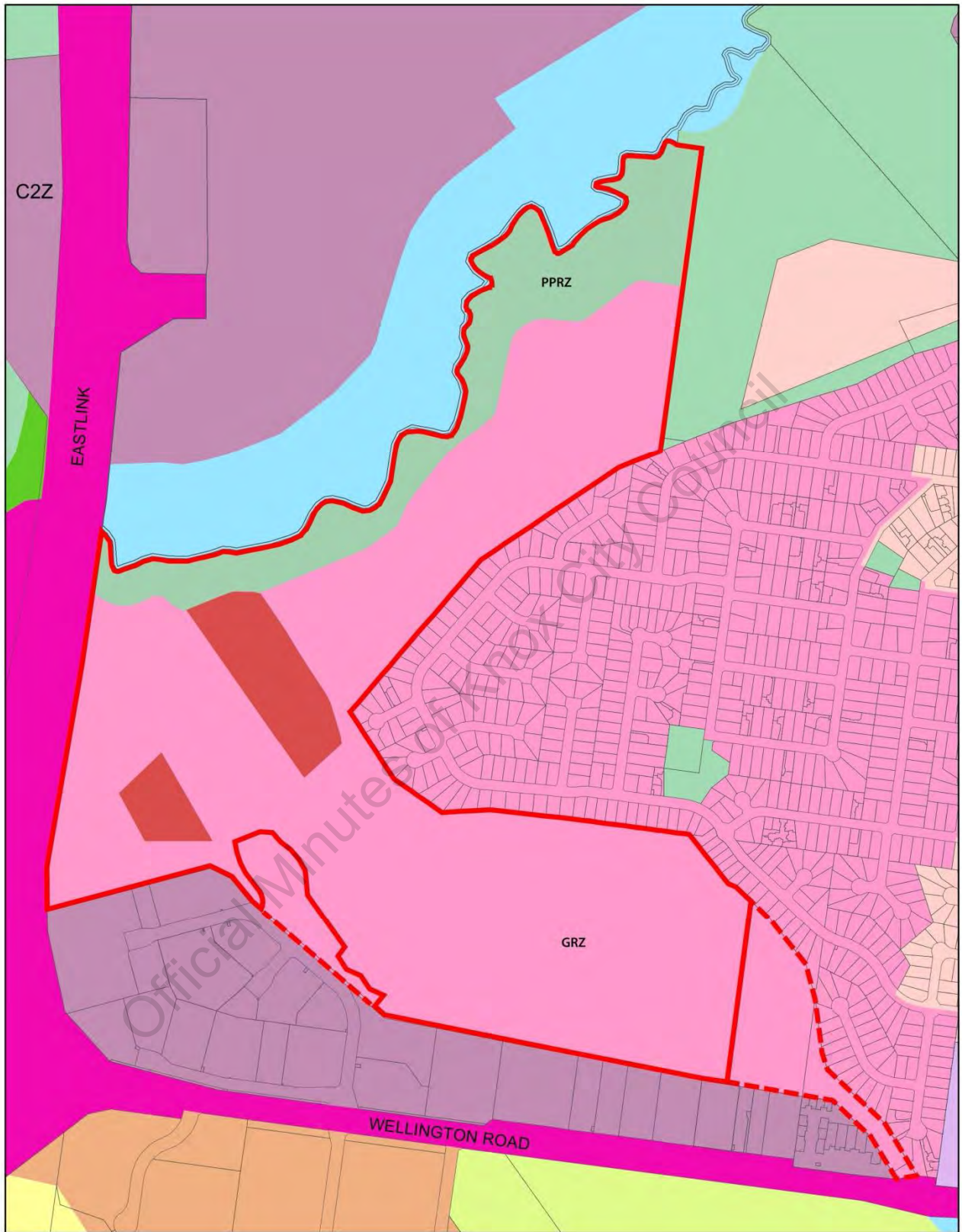
It follows that the use of the land as a public tree reserve appears inconsistent with the SUZ1's first purpose, being "To recognise the use of private facilities...", with the SUZ1's second purpose, "To ensure that flood risk is taken into consideration...", is also largely irrelevant.

3.2.1 Precinct Amendment

Given the potentially anomalous land use configuration described above, it is understood that Council agrees that a rezoning at the precinct level, that is inclusive of the three Council owned reserves, would achieve a more logical and strategic land use configuration for the precinct. Namely, rezoning to the General Residential Zone would better reflect the general use of the Council reserves as a part of the existing and future residential community in Rowville.

Likewise, due to an agreed earthworks schedule which includes filling part of the Council-owned reserves, the extent of the LSIO on part of these reserves can also be reduced. It is proposed that this would also form part of the precinct amendment.

This consolidated approach to the amendment reduces the potential administrative burden on Council and the State Government by avoiding a second separate amendment process.



- The Site
- Broader Amendment Area
- General Residential Zone (GRZ)
- Mixed Use zone (MUZ)
- Public Park and Recreation Zone (PPRZ)
- Public Use Zone (PUZ)

Kingston Links
Proposed Broader Precinct Zone Plan

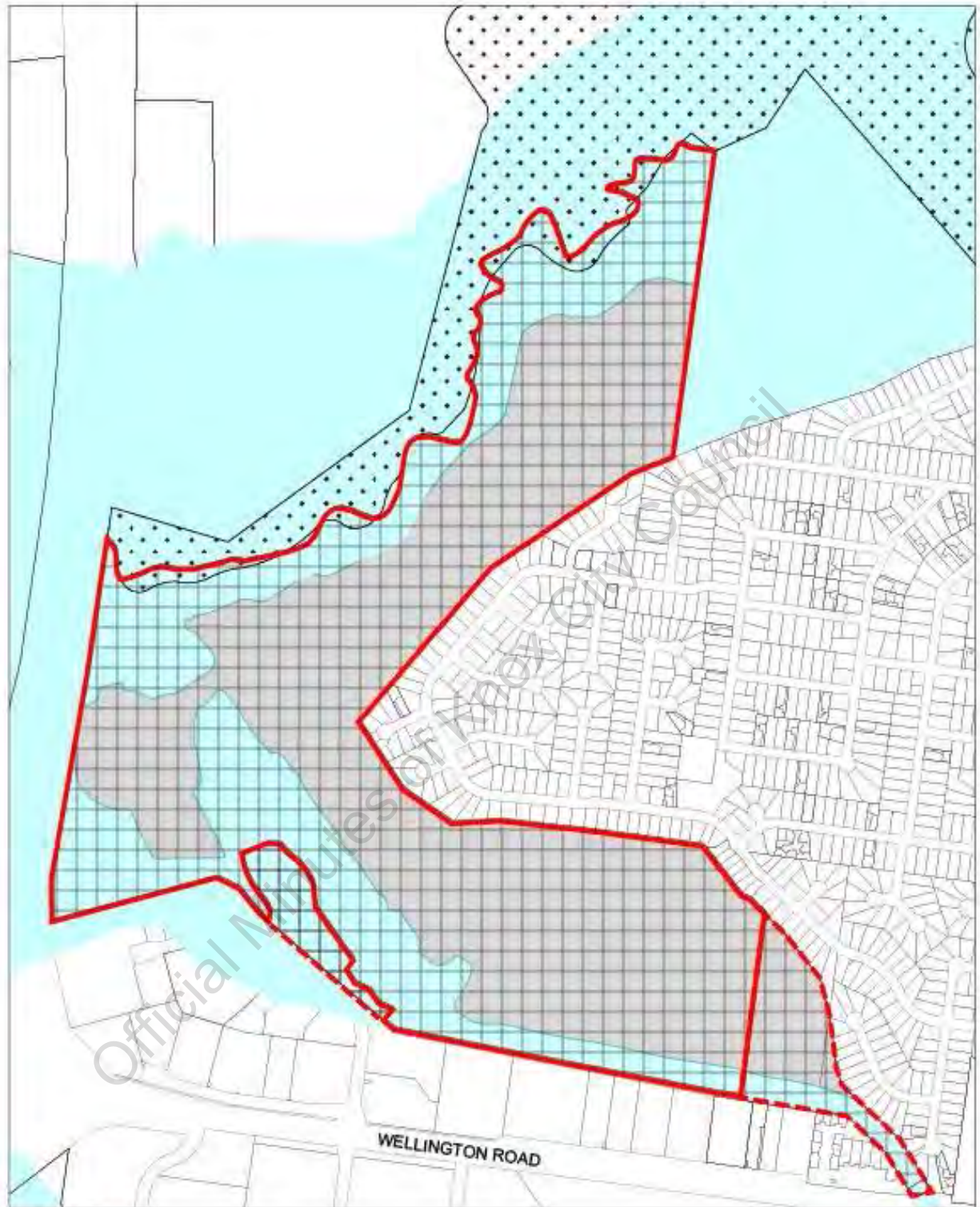
PROJECT NUMBER	DRAWING NUMBER	REVISION
0314-0744	D012	02
DATE	DRAWN	CHECKED
10.05.2017	CF	BD



landscape architects
planners & urban designers
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Phone: 03 9429 4133 | Fax: 03 9429 3922

Tract

Figure 6 – Proposed Rezoning Plan



LEGEND

- The Site
- Broader Amendment Area
- Land Subject to Inundation Overlay Deletion
- Land Subject to Inundation Overlay (revised)
- Environmental Significance Overlay (unchanged)
- Development Plan Overlay (new)

Kingston Links			
Proposed Broader Precinct Overlay Plan			
PROJECT NUMBER 03 14-07-44	OVERLAY NUMBER D013	REVISION 01	
DATE 10.05.2017	DRAWN CF	CHECKED BD	

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Figure 7 – Proposed Overlay Plan
(Note: Only overlays affecting the Site are depicted)

4 PLANNING FRAMEWORK

4.1 Ministerial Directions

A Planning Scheme Amendment must respond to any relevant Ministerial Direction. The following Ministerial Directions are relevant to this amendment:

- Ministerial Direction No.1 – Potentially Contaminated Land
- Ministerial Direction No.9 – Metropolitan Strategy
- Ministerial Direction No.11 – Strategic Assessment of Amendments

4.1.1 Ministerial Direction No.1 Potentially Contaminated Land

Ministerial Direction No.1 requires that during the preparation of an amendment which would have the effect of allowing potentially contaminated land for a sensitive use, a planning authority must satisfy itself that the environmental conditions of the land are or will be suitable for that use.

4.1.2 Ministerial Direction No. 9—Metropolitan Strategy

Ministerial Direction No. 9 seeks to ensure that all planning scheme amendments have regard to the Metropolitan Strategy, which in this direction refers to '*Plan Melbourne: 2017-2050: Metropolitan Planning Strategy*'.

4.1.3 Ministerial Direction No. 11 – Strategic Assessment of Amendments

The purpose of this direction is to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces is undertaken.

A range of strategic considerations are outlined as forming a part of the evaluation criteria. An assessment of the proposal against the requirements of this direction is provided within **Section 5.1** of this report.

4.2 State Planning Policy Framework

To ensure planning schemes further the objectives of planning in Victoria, planning authorities must take into account and give effect to the general principles and specific policies contained in the State Planning Policy Framework (SPPF).

The SPPF clauses that are most relevant to this proposed amendment are detailed below.

- **Clause 9** (Plan Melbourne) specifies that 'where relevant, planning and responsible authorities must consider and apply the strategy *Plan Melbourne 2017-2050: Metropolitan Planning Strategy*.
- **Clause 10** (Operation of the State Planning Policy Framework) sets out the purpose, objectives, application and structure for the State Planning Policy Framework.
 - **Clause 10.02** (Goal) directs that the objectives of planning in Victoria are:
 - To provide for the fair, orderly, economic and sustainable use, and development of land.
 - To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.

- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- To protect public utilities and other facilities for the benefit of the community.
- To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).
- To balance the present and future interests of all Victorians
- **Clause 11** (Settlement) has specific directions to consolidate urban form of Melbourne and maximise the efficient use of land. Specifically this includes:
 - Direction at **Clause 11.02-1** (Supply of urban land) that planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas
 - Direction at **Clause 11.03-1** (Open space planning) that open space planning should link open space networks and incorporate, where possible links between major parks, along waterways and connect places such as activity centres and areas of natural or cultural interest. This direction also seeks to ensure land use and development adjoining regional open space networks complements the open space in terms of visual and noise impacts, treatment of waste water and preservation of vegetation.
 - Direction at **Clause 11.04** (Metropolitan Melbourne). This includes particular direction to:
 - Integrate land use and transport.
 - Strengthen the competitiveness of Melbourne's employment land.
 - Enable an investment pipeline for transit-orientated development and urban renewal.
 - Provide a diversity of housing in defined locations. This includes reducing the cost of living by increasing housing supply near services and public transport.
 - Creating a city of 20 minute neighbourhoods.
 - Creating neighbourhoods that support safe communities and healthy lifestyles.
 - Protecting suburbs from inappropriate development.
 - Direction at **Clause 11.04-5** (Environment and Water) to protect natural assets and restore natural habitats. This direction also seeks to integrate whole of water cycle management to provide sustainable urban development.
- **Clause 12.01** (Biodiversity) seeks to assist the protection and conservation of Victoria's biodiversity including habitat for flora and fauna. It includes direction that decision making take into account the impacts of land use and development on high value biodiversity.
- **Clause 13.02** (Floodplain Management) sets out directions for managing the risk of flood and the function of floodplains.
- **Clause 13.04** (Noise and Air) directs the need to control the impacts of noise on sensitive land uses (including housing). It also seeks to protect and improve air quality.
- **Clause 14.02** (Water) seeks to manage water catchments, with relevant direction to consider the impacts of catchment management on downstream water quality.
- **Clause 15.01** (Urban Environment) seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. This includes directions to promote good urban design and reinforces the need to integrate land use planning, urban design and transport planning. The clause goes on (at Clauses 15.01-3 to 15.01-5 and Clause 15.02) to set out policy direction for the development and subdivision of residential areas to establish neighbourhoods that are sustainable and establish a sense of place.
- **Clause 15.02-1** (Energy and Resource Efficiency) encourages efficient land use and development which minimises greenhouse gas emissions.
- **Clause 15.03-2** (Aboriginal Cultural Heritage) aims to protect and conserves places of Aboriginal cultural heritage significance.
- **Clause 16.01** (Residential Development) promotes housing to meet community needs by:
 - Increasing the supply of housing in appropriate urban locations, including under-utilised urban land.
 - Encouraging higher density housing development on sites that are well located to activity centres, employment corridors and public transport.
 - Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.

- Identify opportunities for increased residential densities to help consolidate urban areas.
- Diversifying housing types to meet changes in population needs.
- Delivering affordable housing closer to jobs, transport and services.
- **Clause 18.01** (Integrated Transport) promotes the integration of land use planning and transport through concentrating key trip generators, including higher density residential development in and around activity centres and the Principal Public Transport Network. It also seeks to integrate opportunities for walking, cycling and public transport into new subdivisions.
- **Clause 18.02-3** (Principal Public Transport Network) has specific direction to “Improve the operation of the existing public transport network with faster, more reliable and efficient on-road and rail public transport.”
- **Clause 19.02** (Community infrastructure) and **clause 19.03** (Development infrastructure) seek to provide fair and timely infrastructure to communities, directing the use of development contributions toward the cost of infrastructure. Clause 19.03 also seeks to reduce the impact of stormwater on catchments through integrated planning of stormwater quality.

4.3 Local Planning Policy Framework

The City of Knox's Local Planning Policy Framework (the 'LPPF') correlates with State policy. The LPPF clauses of the *Knox Planning Scheme* which are most relevant to this proposal have been summarised as follows.

- **Clause 21.03** (Vision and Strategic Land Use Framework) reinforces that Council seeks to:
 - Maintain, enhance and protect the natural environment.
 - Continue Council's commitment to public transport and alternatives to car travel.
 - Encourage all new development to incorporate ecologically sustainable principles.
 - Encourage greater diversity in housing and direct new housing to preferred locations.
 - Continue to attract new investment, revitalise activity centres, commercial and business precincts.
- **Clause 21.04** (Urban Design) includes objective to enhance and protect the landscape qualities of the Dandenong Creek Valley, with strategic directions that include:
 - Protecting the landscape quality and role of the Dandenong Creek Valley as a wide, green pastoral break separating Knox from the suburban character of the balance of the eastern suburbs of Melbourne.
 - Protecting the rural views along the floodplain of the Dandenong Creek that include the remnant grazing and horticultural landscapes that once separated Melbourne from the Dandenong Ranges.
- **Clause 21.05** (Housing) and **clause 22.10** (Monitoring and review) set out Housing directions for the municipality. These clauses put particular emphasis on directing growth of housing stock away from the Dandenong Foothills by:
 - Promoting activity centre and key redevelopment sites as the preferred location for new housing.
 - Encouraging medium density development on sites with direct access to the Principal Public Transport network.
 - Encouraging a diversity of housing styles, types, forms and sizes to cater for changing needs in the community.
 - Supporting development that respects existing and preferred neighbourhood character.
- The **Housing Framework** plan included at clause 21.05 identifies 'Kingston Links Golf Club' as a 'Strategic Investigation Site'. Within this plan, the Site is shown as 'Non-residentially zoned land'. This plan also identifies part of Stamford Park as an 'Activity Area'.
 - Clause 21.05 defines 'Strategic Investigation Sites' as sites "where the current land use is likely to change in a short to mid-term timeframe, and *could* be suitable for future residential development (either entirely or in part)."
- **Clause 22.07** (Neighbourhood Character) and **clause 22.08** (Scoresby / Rowville Employment Precinct) direct urban character.
 - Neither of these clauses specifically applies to the Site, but each emphasise the 'garden suburban' character of Knox in both its residential and industrial form.
 - The Neighbourhood Character policy (clause 22.07) identifies the land to the direct east of the Site as part of a "Villa Court" precinct. Key characteristics of this area include large scale building form, eclectic styles and formal street tree arrangements. The preferred character statement for this area is to provide "predominantly large scale dwellings set within an open garden setting."

- Part of the residential land to the east (closer to Stud Road and Stamford Park) is identified as "Garden Suburban." This area has a preferred character to provide "Low scale dwellings within an open landscape with occasional large native trees and in some precincts large stands of native and exotic trees".
- Design for the employment land surrounding the Site is directed by clause 22.08 and applies to land to the north, south and north east. The policy has particular emphasis on ensuring development protects and enhances the environmental and heritage qualities of Stamford Park
- **Clause 21.06** (Environment) directs the municipality's environmental and cultural heritage strategies.
 - Protection and enhancement of creeks and waterways as key public, landscape and environmental assets, including the Dandenong Creek Valley and its tributaries, is directed by the clause.
 - Directions reinforce the need to manage storm water runoff to minimise impacts on water quality and changes in flow.
 - The protection of areas of cultural heritage is also directed. However, this is now addressed through the Cultural Heritage Management Act.

4.4 Zone

- **Clause 32.08** (General Residential Zone) which seeks to respect neighbourhood character, provide for a diversity of housing types and moderate housing growth on well-serviced land, and to allow a limited range of non-residential uses.
- **Clause 32.04** (Mixed Use Zone) which seeks to provide a range of uses, housing at higher densities, and development which responds to neighbour character.
- **Clause 36.02** (Public Park and Recreation Zone) which seeks to recognise areas for public recreation and open space, protect and conserve areas of significance, and provide for commercial uses where appropriate.
- **Clause 37.01** (Special Use Zone – Schedule 1) is entitled 'Community, recreation, education and religious purposes' and purposes to recognise the use of private facilities (including community, sporting leisure, and recreation) and to ensure that flood risk is taken into consideration for use or development on applicable land.

4.5 Overlay

- **Clause 42.01** (Environmental Significance Overlay – Schedule 2) is entitled 'Sites of Biological Significance' and functions to set out a statement of environmental significance for the Site and context as well as environmental objectives to be achieved.
- **Clause 43.04** (Development Plan Overlay) which acts to identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted.
- **Clause 44.04** (Land Subject to Inundation Overlay) acts to identify floor prone areas, maintain free passage and storage of flood waters, protect water quality, and ensure development maintains or improves river and wetland health.

4.6 Particular and General Provisions

The following provisions will apply to a planning permit application for the subdivision of the Site:

- **Clause 52.01** (Public Open Space Contribution and Subdivision) requires that future subdivision of the land trigger a public open space contribution to Knox City Council. The amount specified in the schedule to this clause is 5% for lots of 725sqm or greater and 8.5% for lots smaller than 725sqm (being percentages of the land intended to be used for residential or commercial purposes, or a percentage of the site value of such land, or a combination of both).
- **Clause 52.02** (Easements, Restrictions and Reserves) enables the removal and variation of an easement to enable a use or development that complies with the planning scheme after the interests of affected people are considered.
- **Clause 52.06** (Car parking) seeks to ensure the provision of an appropriate number of car spaces having regard to the activities on the land and to support sustainable transport alternatives to the motor car.
- **Clause 52.17** (Native Vegetation) seeks to ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity.

- **Clause 52.29** (Land Adjacent to a Road Zone, Category 1) seeks to ensure appropriate access from, and subdivisions adjacent to, identified roads.
- **Clause 52.36** (Integrated Public Transport Planning) seeks to ensure that development supports public transport usage and that the new development can easily access a safe, attractive network and that new development does not adversely affect the efficiency of the existing network. Under this clause, any future application to subdivide the Site into a residential development comprising 60 or more lots would be referred to Public Transport Victoria in accordance with Section 55 of the *Planning and Environment Act 1987*.
- **Clause 56** (Residential Subdivision) applies to any future application to subdivide land in a residential zone that provides for residential development.
- **Clause 65** (Decision Guidelines) requires that the responsible authority must decide whether the proposal will produce acceptable outcomes in terms of a number of decision guidelines set-out within the clause.
- **Clause 66** (Referral and Notice Provisions) directs referrals to Melbourne Water, the relevant electricity supply authority, the relevant electricity transmission authority, and the relevant gas supply authority.

4.7 Plan Melbourne

Plan Melbourne 2017-2050 is the Victorian Government's Metropolitan Planning Strategy to guide the city's growth to 2050. Plan Melbourne is supported by a 'Five-year Implementation Plan'.

The following directions of Plan Melbourne are of particular relevance to the proposal:

- 'Direction 1.3 – Create development opportunities at urban renewal precincts across Melbourne.'
- 'Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.'
- 'Direction 2.2 – Deliver more housing closer to jobs and public transport.'
- 'Direction 2.3 – Increase the supply of social and affordable housing.'
- 'Direction 2.5 – Provide greater choice and diversity of housing.'
- 'Direction 5.1 – Create a city of 20-minute neighbourhoods.'
- 'Direction 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities.'
- 'Direction 6.3 – Integrate urban development and water cycle management to support a resilient and liveable city.'
- 'Direction 6.5 – Protect and restore natural habitats.'

The following further policies of Plan Melbourne are relevant to the proposal:

- Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport including an aspirational housing distribution target of 70 per cent of new housing was to be provided within Melbourne's established areas (Policy 2.1.2).
- Plan for and facilitate the development of urban renewal precincts (Policy 1.3.1). Plan Melbourne states that these renewal areas should be developed as mixed-use neighbourhoods offering a range and choice of housing as well as other services. They should also offer high levels of amenity and connectivity and integrate into surrounding neighbourhoods.
- Protect and enhance the health of urban waterways (Policy 6.5.2) and seeks to adopt an integrated water management approach (Policy 6.3.2).

Additionally, Plan Melbourne's Implementation Plan acknowledges that the Eastern Subregion is expected to accommodate between 175,000 and 190,000 net dwelling additions to 2051 (Page 49). Further, the Implementation Plan includes Stud Park as a Major Activity Centre. Stud Park is located approximately 1.1km to the east of the Site and ensures that the Site's redevelopment is consistent with Plan Melbourne's direction for 20-minute neighbourhoods.

4.8 Local Planning Studies

4.8.1 Rowville Plan 2015

This plan was prepared by Council in 2013 to direct future development in and around the Stud Park Shopping Centre and the Rowville neighbourhood. Some maps within the plan include the Kingston Links land though the plan is generally silent on the Site's current and future use other than identifying the

land as existing "other open space". However, at Page 39 the plan acknowledges the Site's potential for redevelopment with direction to "Continue coordination with the owners of the Kingston Links Golf Course and Caribbean Gardens to ensure that any future redevelopment of these sites does not increase flood risk of nearby properties or negatively impact the Corhanwarrabul Creek".

The plan also advocates strongly for the Rowville Rail Link including provision for a future rail station at Stud Park Shopping Centre.

Elements of the Rowville Plan 2015 were introduced into the *Knox Planning Scheme* through Amendment C131 which was gazetted on 17 March 2016.

4.8.2 Knox Housing Strategy and Planning Scheme Amendment C131

Prepared in parallel with the draft Rowville Plan, the draft Knox Housing Strategy also released in November 2013. These documents collectively formed Amendment C131 to the *Knox Planning Scheme*.

A Panel hearing into submissions about Amendment C131 was held in July-August 2014 and the Knox Housing Strategy, Knox Residential Design Guidelines, and Amendment C131 were adopted by Council on 27 January 2015.

The Housing strategy (at Page 23 and 26) identifies the Kingston Links Golf Club as a potential redevelopment site stating (at Page 26) that:

"A mix of commercial and residential uses is considered appropriate for this site. Commercial uses should be located in proximity to the adjoining commercial land to the south. Any future development potential for this site will be subject to satisfactorily addressing the constraints of the site including drainage/flooding issues; and the interface to existing residential areas."

This designation follows through to documents exhibited as part of Amendment C131. This includes a new Clause 21.05 that identifies the Kingston Links Golf Course site as a "strategic site" where future residential (and non-residential) development may be appropriate.

At Page 70 of the Panel Report for Amendment C131 and C133, 'Kingston Links Golf Club' is tabled alongside 13 other "Strategic Sites which could be suitable for future residential development" with possible future uses listed as 'Mix of commercial and residential'. Adopted from Council's submission to the Panel Hearing, the table lists Kingston Links Golf Club as receiving a 'Supporting submission'.

Amendment C131 to the *Knox Planning Scheme* was approved by the Minister for Planning in March 2016 and now forms part of the current planning scheme.

4.9 Practice Notes

4.9.1 PPN46- Strategic Assessment Guidelines, June 2015

Minister's Direction No. 11 Strategic Assessment Guidelines requires a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. This planning practice note explains what should be considered as part of the direction. A full assessment of the Planning Scheme Amendment against Ministerial Direction No. 11 is contained within **Section 5.1** below.

4.9.2 PPN78- Applying the Residential Zones, June 2015

This practice note provides information and guidance to councils about the purposes and features of the residential zones, how to apply the residential zones and the schedules to the residential zones.

The practice note specifies that applying the residential zones should be underpinned by clearly expressed planning policies in the planning scheme. The State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF) in the planning scheme should be the starting point for deciding whether the council's strategic objectives are still valid and sound, or whether new strategic work is required. Alternatively, a council may have undertaken relevant strategic planning for their residential areas.

Table 1 of PN78 has been prepared to assist Councils implementation of new residential zones when preparing a planning scheme amendment. Excerpts from Table 1 – those parts relevant to the General Residential Zone – are reproduced below.

Residential Zone			Principles in Applying Zones
Zone	Purpose	Likely Application	Principles can be deduced from the purposes of Zones (and should be considered together)*
GRZ	Respects and preserves neighbourhood character while allowing moderate housing growth and diversity	In most residential areas where moderate growth and diversity of housing that is consistent with existing neighbourhood character is to be provided	<ul style="list-style-type: none"> ■ Areas with a diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character ■ Areas where moderate housing growth and housing diversity is encouraged

Note: at the time this Planning Report was last revised (May 2017) a new practice note was being prepared to explain the operation of the new residential zones introduced by Amendment VC110 on 27 March 2017. Key changes to the General Residential Zone include the introduction of a minimum garden area and changes to the maximum dwelling heights.

5 PLANNING ASSESSMENT

5.1 Planning Scheme Amendment

This section of the planning report has been prepared in response to Section 3.1 of Ministerial Direction No. 11 under Section 12 (2)(a) of the *Planning and Environment Act 1987*. The purpose of the Strategic Assessment Guidelines is to provide a consistent framework for the evaluation of a proposed planning scheme amendment and the outcomes it produces. An assessment of the Planning Scheme Amendment against the Strategic Assessment Guidelines is provided below.

5.1.1 Why is an amendment required?

The Site is currently used as a golf course under the Special Use Zone – Schedule 1. The amendment is required to rezone the land to enable its reuse as a residential community.

5.1.2 How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria, contained in Section 4 of the *Planning and Environment Act 1987*, in the following ways:

- Objective A: the amendment provides for the fair, orderly, economic and sustainable use and development of land as it facilitates a coordinated rezoning which is consistent with surrounding land use patterns and which creates an economic opportunity for underutilized urban land.
- Objective B: the amendment facilitates an efficient use on inner-urban land, thereby reducing pressure on fringe development and its associated resource consumption.
- Objective C: the amendment will secure and provide a pleasant, amenable, and safe living environment.
- Objective D: the amendment does not compromise any places of known scientific, aesthetic, architectural, or historical interest, or otherwise of special cultural value.
- Objective F: the amendment will enable appropriate consolidation of the Site in accordance with State and local planning policy.
- Objective G: the amendment seeks to balance the present and future interests of all Victorians by facilitating capital investment in the Knox region and by enabling future use and development of the Site as a high quality residential community.

5.1.3 How does the amendment address the environmental effects and any relevant social and economic effects?

The amendment positively addresses environmental effects by:

- Providing an assessment of the Site's biodiversity values (undertaken by Ecology and Heritage Partners and summarised at **Section 2.3.5** of this report);
- Protecting ecological values through the appropriate application and retention of Victorian Planning Provisions, including its introduction of a PPRZ to the Site's riparian interface with the Corhanwarrabul Creek coupled with its retention of the Site's existing ESO;
- Prioritising the management of stormwater runoff through its provision of a best practise stormwater storage and processing proposal; and

- Providing a landscape response which will retain a portion of established vegetation while also proposing a Site-wide revegetation strategy which will promote biodiverse habitats.

The amendment positively addresses social effects by:

- Contributing to housing diversity and affordability, particularly through its provision of MUZ land which is well-suited to future development of higher density housing and a small local commercial offer;
- Proposing to provide a generous provision of public open space which includes a network of pedestrian and bicycle paths to encourage active lifestyles; and
- Providing a Cultural Heritage Management Plan confirming that no archaeological Aboriginal cultural heritage is present at the Site (refer 'Proposed Residential Subdivision, Kingston Links, Rowville: Aboriginal Cultural Heritage Management Plan' by Ecology & Heritage Partners, May 2013).

With respect to economic effects, the amendment is expected to generate an estimated \$435M capital investment which would:

- Directly create a total of 2,610 construction-related jobs over the life of the project, representing a total of 370 full-time equivalent job-years over the whole of the seven year construction period.
- Another 1,230 job-years will be created indirectly throughout the local and wider economy;
- Create approximately 75 on-site jobs directly supported on an ongoing basis, with another 100 jobs indirectly created in the wider economy;
- Provide additional rates income conservatively valued at \$1.5m per annum; and
- Generate an additional expenditure of \$49m per annum on a wide range of non-retail goods and services, a share of which would be captured by local businesses in the City of Knox.

Further, the amendment will allow future housing in proximity to employment opportunities and to existing state and local infrastructure, thereby improving access and equity to services.

5.1.4 Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the *Planning and Environment Act 1987*. It also meets the requirements of the following relevant Ministerial Directions, in the following ways:

- **Ministerial Direction No.1 – Potentially Contaminated Land** by providing a contamination report prepared by Greencap (June 2016) confirming that, "Based on the results of the assessment, the site would not be considered to meet the definition of "potentially contaminated land" in accordance with Ministerial Direction No. 1. As such, and in accordance with the guidance provided within the General Practice Note it was considered unlikely that a statutory environmental audit would be required for the site (Page 21, Soil Contamination Assessment, Greencap, June 2016)."
- **Ministerial Direction No.9 – Metropolitan Strategy** by discussing how the amendment addresses the following matters:
 - *What aspects, if any, of the Metropolitan Planning Strategy are relevant?*
 - *Plan Melbourne's* policies relating to urban renewal (Policy 1.3.1), 20-minute neighbourhoods and provision of housing within established urban areas (Policy 2.1.2), and protection of waterways (Policy 6.3.2) are of particular relevance to the proposal.
 - *How does the Metropolitan Planning Strategy affect the amendment?*
 - *Plan Melbourne* affects the amendment by providing strong State-level support for urban renewal, housing within established areas, creation of 20-minute neighbourhoods, and protection of waterways, all of which would be enabled by the proposed rezoning.
 - *Is the amendment consistent with any directions and policies in the Metropolitan Planning Strategy?*

The amendment is consistent with the following directions of Plan Melbourne:

 - 'Direction 1.3 –Create development opportunities at urban renewal precincts across Melbourne.'

- 'Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.'
 - 'Direction 2.2 – Deliver more housing closer to jobs and public transport.'
 - 'Direction 2.3 – Increase the supply of social and affordable housing.'
 - 'Direction 2.5 – Provide greater choice and diversity of housing.'
 - 'Direction 5.1 – Create a city of 20-minute neighbourhoods.'
 - 'Direction 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities.'
 - 'Direction 6.3 – Integrate urban development and water cycle management to support a resilient and liveable city.'
 - 'Direction 6.5 – Protect and restore natural habitats.'
- *Does the amendment support, give effect to or assist the implementation of the Metropolitan Planning Strategy or can it be reasonably modified to do so?*
 - Without modifying the Strategy, the amendment would give effect to each of the directions listed above.
 - *Will the amendment compromise the implementation of the Metropolitan Planning Strategy?*
 - No. The amendment is consistent with *Plan Melbourne*.

5.1.5 How does the amendment support or implement the State Planning Policy Framework?

The amendment upholds the principles and objectives of the State Planning Policy Framework. The future residential development of the Site would make a significant contribution to the state economy and would enhance the offering of residential facilities within Knox.

In particular, the amendment implements key policy directions of the SPPF by:

- Applying the strategy *Plan Melbourne*.
- Facilitating urban renewal on underutilised and serviced land.
- Improving the social, economic and environmental performance of the land by activating the Site.
- Protecting and conserving biodiversity.
- Managing the risk of flood and the function of floodplains and water catchments.
- Providing serviced land for urban growth.
- Facilitating future development within an existing urban area as opposed to the metropolitan fringe.
- Increasing land use efficiency.
- Facilitating the supply of land to optimise affordability of housing.
- Facilitating supply of social housing.
- Contributing towards meeting the community's future housing needs.
- Reducing the cost of living by increasing housing supply near services and transport options.
- Enabling future residential development that can contribute to community and cultural life by improving safety, diversity and choice, the quality of living environments, accessibility and inclusiveness, and environmental sustainability.
- Coordinating improvements to walking and cycling networks.

5.1.6 Does the amendment support or implement the LPPF? If not, how is the LPPF proposed to change?

The amendment upholds the objectives and strategies of the Local Planning Policy Framework. No changes are required to the LPPF to facilitate the rezoning of the Site for residential purposes.

In particular, the amendment implements the following key policy directions of the LPPF by:

- Protecting ecological values through the proposed application of the PPRZ and retention of the ESO across the Site's riparian interface with the Corhanwarrabul Creek;
- Utilising the Corhanwarrabul Creek corridor as a central focus of public space;
- Creating a network of shared paths which support active modes of transport;
- Applying the General Residential Zone to ensure the character of existing residential development to the east is respected;
- Proposing a DPO across the Site and the formation of a Development Plan which is consistent with the *Knox Planning Scheme*;
- Contributing to future potential for housing diversity and well-designed housing stock;

- Providing a Cultural Heritage Management Plan to ensure any cultural heritage is understood and managed;
- Prioritising the management of stormwater runoff through a best practise storage and processing proposal;
- Providing a modest amount of additional employment land which does not compromise Knox's existing activity centre hierarchy;
- Supporting sustainable and resource efficient principles by unlocking underutilised urban land identified as a 'Strategic Investigation Site'; and
- Supporting and strengthening the local economy through the creation of short-term and long-term job creation and population spending in the area.

5.1.7 Does the amendment make proper use of the Victorian Planning Provisions?

The amendment makes proper use of the VPPs by applying three zones to the Site, being the GRZ, the PPRZ, and the MUZ, to allow for the use and development of a sustainable residential community.

Further, the amendment proposes to apply the Development Plan Overlay to guide the Site's future development and to revise its existing Land Subject to Inundation Overlay.

5.1.8 How does the amendment address the views of any relevant agency?

Melbourne Water

Melbourne Water has been consulted extensively throughout the design and modelling of hydrology effects on the Site.

Having reviewed the initial design and landscape plans that were submitted for the Corhanwarrabul Creek floodplain, Melbourne Water outlined a number of concerns that they had with the proposal. The issues that were raised mainly related to the design of the floodway reserve, i.e. the area between the edge of the development and the buffer offset line located 30m from Corhanwarrabul Creek.

Melbourne Water's initial major concerns and requirements for the proposed floodway reserve, and the overall floodplain, are outlined below:

- Erosion risks: Melbourne Water had concerns that the proposed floodplain modifications could have geomorphic risks (erosion and channel avulsion risks) for the system. To help inform their review, Melbourne Water engaged Alluvium Consulting to undertake a peer review of the proposed design and the flood modelling completed, and to provide advice throughout the review process. Alluvium suggested that the proposed design should better connect flood levels across the entire floodplain, by lowering the existing high areas/mounds within the golf course. These high areas/mounds currently form flood barriers in large flood events;
- Ability of the floodway reserve to drain: Melbourne Water raised concerns that sections of the floodway reserve were below the invert of the creek, which may cause waterlogging issues. The need for complete feature survey of the creek, to accurately inform the design, was also raised; and
- Appearance of the floodway reserve: Melbourne Water requested that the overall batters for the floodway reserve should be no steeper than 1 vertical to 10 horizontal, as this land is within the floodplain of a major creek system. This was requested to improve the amenity of the floodway reserve.

In light of the issues raised, a number of technical discussions were held and a range of design options were trialled to come up with a design that addressed Melbourne Water's concerns. The design changes were informed by input from Melbourne Water, Alluvium, Water Technology, Tract, Calibre Group and Ecology & Heritage Partners.

More than 30 design iterations were considered. Ultimately, an option which satisfactorily addressed the erosion issues was found which is summarised as follows:

- The development line was shifted back by approximately 45m to provide a larger offset from the creek where the highest erosion risks were present;
- The bed of the proposed floodway reserve was raised to improve the amenity and to allow the proposed floodway to drain away effectively;
- The high mounds through the golf course and the design levels of the proposed shared path on the creek side were lowered to better connect the broader floodplain; and
- The low lying area between Kingston Links and Stamford Park is proposed to be left as existing aside from the agreed allowance for a raised roadway connection between the two sites.

The proposed concept design that was finalised in May 2016 has been resolved to the satisfaction of Melbourne Water.

Other Authorities

The exhibition of this amendment will provide a formal opportunity for all relevant stakeholders to provide comment on the proposal. The views of relevant agencies will be sought during the public exhibition process.

5.1.9 Does the amendment address the requirements of the Transport Integration Act 2010?

The amendment complies with the relevant requirements of the *Transport Integration Act 2010*, specifically Part 2, Division 2, 11 (Integration of transport and land use).

5.1.10 What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

Consideration of a future planning permit application will place the usual additional demand on the responsible authority associated with planning scheme amendments.

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6 CONCLUSION

This report has detailed a planning scheme amendment request concerning the proposed rezoning of the Kingston Links Golf Course at 14 Corporate Avenue, Rowville and its contiguous Special Use Zone properties.

The planning scheme amendment proposes to:

- Rezone the Amendment Area from the Special Use Zone – Schedule 1 predominantly to the General Residential Zone – Schedule 1 and also to the Mixed Use Zone and the Public Park and Recreation Zone;
- Delete part of the Amendment Area's Land Subject to Inundation Overlay; and
- Apply the Development Plan Overlay – Schedule 13 across the full extent of the Amendment Area.

This report has described the Site and its context, detailed the proposal, provided an overview of the planning framework, and assessed the planning merits of the proposal against relevant planning policy.

It is the report's conclusion that the proposed rezoning is consistent with planning objectives in Victoria and in particular the *Knox Planning Scheme* and *Plan Melbourne*.

This report is supported by the following specialist assessments:

- 'Proposed Residential Subdivision, Kingston Links, Rowville: Aboriginal Cultural Heritage Management Plan' (E&HP, May 2013)
- 'Soil Contamination Assessment: Kingston Links Golf Club' (*Greencap*, May 2017)
- 'Detailed Flora & Fauna Assessment, Kingston Links Golf Course' (E&HP, May 2017)
- 'Kingston Links Golf Course Development Stormwater Management Plan and Flooding Assessment' (Water Technology, May 2017)
- 'Kingston Links Golf Course Development: Preliminary Services Report' (Calibre Consulting, May 2017).
- 'Kingston Links Golf Course Economic Assessment' (*Deep End Services*, May 2017)
- 'Acoustic Assessment of Road Traffic Noise' (*SLR Consulting Australia*, June 2016)
- 'Traffic Engineering Assessment' (Traffix Group, May 2017)

Pursuant to Section 35 of the *Planning and Environment Act 1987*, Council is respectfully requested to seek authorisation to formally prepare and exhibit the amendment.

Planning and Environment Act 1987

KNOX PLANNING SCHEME

DRAFT AMENDMENT C142

EXPLANATORY REPORT

Who is the planning authority?

~~Amendment C142~~ (~~the Amendment~~ This amendment) has been prepared by the Knox City Council which is the planning authority for the Amendment.

The Amendment has been made at the request of Pask Group C/- Tract Consultants.

Land affected by the Amendment

The land affected by the Amendment comprises Kingston Links Golf Course located at 14 Corporate Avenue, Rowville (Lot 1 on PS421343 the Site), as shown in ~~the map below~~ Figure 1. The Site is situated east-adjacent of the Eastlink Freeway road reserve, north of Wellington Road, south of the Corhanwarrabul Creek, south-west of Stamford Park, and west of adjoining residential development.



What the Amendment does

Figure 1: The Subject Site

The Amendment proposes to rezone the current Kingston Links Golf Course land from a Special Use Zone – Schedule 1 (SUZ1) to facilitate a future residential development.

~~the General Residential Zone – Schedule 1, the Mixed Use Zone, and the Public Park and Recreation Zone. The Amendment also proposes to introduce the Development Plan Overlay – Schedule 13 across the Site and to delete part of the Site's existing Land Subject to Inundation Overlay.~~

Specifically the Amendment:

- ~~Rezones 14 Corporate Avenue, Rowville (Lot 1 on PS421343) from a Special Use Zone s part of the Site from the Special Use Zone – Schedule 1 (SUZ1) to part General Residential Zone – Schedule 1 (GRZ1), the Mixed Use Zone (MUZ), and the Public Park and Recreation Zone (PPRZ) the General Residential Zone – Schedule 1.~~
- ~~Rezones part of the Site from the Special Use Zone – Schedule 1 to the Mixed Use Zone.~~
- ~~Rezones part of the Site from the Special Use Zone – Schedule 1 to the Public Park and Recreation Zone.~~
- Inserts a new Development Plan Overlay – Schedule 13 (DPO13)
- Amends Maps 5LSIO and 8LSIO to remove the Land Subject to Inundation Overlay (LSIO) from part of the site
- Amends Planning Scheme Map 5 and 8, and 5DPO
- Amends the Schedule to Clause 61.03 to include a new planning scheme map 8DPO in the Knox Planning Scheme
- ~~Deletes part of the Site's existing Land Subject to Inundation Overlay.~~
- ~~Applies the Development Plan Overlay – Schedule 13 to the Site.~~
- ~~Amends the following Knox Planning Scheme Maps to reflect changes (1) – (5) above:~~
 - ~~Zones Map No 5 and 8~~
 - ~~Land Subject to Inundation Overlay Map No 5LSIO and No 8LSIO~~
 - ~~Development Plan Overlay Map No 5DPO~~
- ~~Inserts the following map into the Knox Planning Scheme:~~
 - ~~Development Plan Overlay Map No 8DPO~~

Strategic assessment of the Amendment

Why is the Amendment required?

~~The Site is currently used as a golf course under the Special Use Zone – Schedule 1. The Amendment is required to rezone the current Kingston Links Golf Course land to enable its reuse as a residential community.~~

How does the Amendment implement the objectives of planning in Victoria?

The Amendment implements the objectives of planning in Victoria, contained in Section 4 of the Planning and Environment Act 1987, in the following ways:

- ~~Objective (a)A: the Amendment provides for the fair, orderly, economic and sustainable use and development of land as it facilitates a coordinated rezoning which is consistent with surrounding land use patterns and which creates an economic opportunity for underutilized urban land.~~

-
- Objective (b)B: the Amendment facilitates an efficient use of urban land, thereby reducing pressure on fringe development and its associated resource consumption.
-
- Objective (c)C: the Amendment will secure and provide a pleasant, amenable, and safe living environment.
-
- Objective (d)D: the Amendment does not compromise any places of known scientific, aesthetic, architectural, or historical interest, or otherwise of special cultural value.
-
- Objective (f)F: the Amendment will enable appropriate consolidation of the sSite in accordance with State and local planning policy.
-
- Objective (g)G: the Amendment seeks to balance the present and future interests of all Victorians by facilitating capital investment in the Knox region and by enabling future use and development of the sSite as a high quality residential community.

How does the Amendment address any the environmental effects and any relevant social and economic effects?

~~The Amendment addresses environmental effects by:~~

~~Providing an assessment of the Site's biodiversity values (undertaken by Ecology and Heritage Partners over 2014-2016 and presented in its May 2017 report);~~

~~The amendment will protecting and enhance existing biological and ecological values through the appropriate application and retention of the Victoria Planning Provisions, including its introduction of a PPRZ to the for the Site's riparian interface with the Corhanwarrabul Creek coupled with its retention of the Site's existing Environmental Significance Overlay –Schedule 2 (ESO2) which applies to Sites of Biological Significance.~~

~~The proposed development will SO; provide a landscape response which will retain a portion of established vegetation while also proposing a sSite-wide revegetation strategy which will promote biodiverse habitats.~~

~~The amendment will also Prioritising prioritise the management of stormwater runoff through its provision of a best practice stormwater storage and processing proposal ; and~~

The Amendment addresses social effects by contributing to :-

~~Contributing to housing diversity and affordability, including the particularly through its provision of a MUZ precinct for which is well suited to the future development of medium density housing and housing in proximity to employment opportunities and to existing state and local infrastructure, thereby improving access and equity to services.;~~

~~The amendment also proposes to provide a generous provision of public open space which includes a network of pedestrian and bicycle paths to encourage active lifestyles; and~~

~~Proposing to provide a generous provision of public open space which includes a network of pedestrian and bicycle paths to encourage active lifestyles; and~~

~~Providing a Cultural Heritage Management Plan (Ecology & Heritage Partners, May 2013) confirming that no archaeological Aboriginal cultural heritage is present within the Site.~~

With respect to economic effects, the Amendment is expected to generate positive benefits with new job creation and other local investment opportunities. ~~an~~

~~estimated \$435M capital investment which would:~~

- ~~• Directly create a total of 2,610 construction-related jobs over the life of the project, representing a total of 370 full-time equivalent job-years over the whole of the seven-year construction period.~~
- ~~• Another 1,230 job-years will be created indirectly throughout the local and wider economy;~~
- ~~• Create approximately 75 on-site jobs directly supported on an ongoing basis, with another 100 jobs indirectly created in the wider economy;~~
- ~~• Provide additional rates income conservatively valued at \$1.5m per annum; and~~
- ~~• Generate an additional expenditure of \$49m per annum on a wide range of non-retail goods and services, a share of which would be captured by local businesses in the City of Knox.~~

~~Further, the Amendment will allow future housing in proximity to employment opportunities and to existing state and local infrastructure, thereby improving access and equity to services.~~

Does the Amendment address relevant bushfire risk?

The Site is not subject to a Wildfire Management Overlay and is not located on land designated as a 'Bushfire Prone Area' under the Victoria Planning Provisions. A local policy for bushfire risk management is not required to support the Amendment.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987.

The amendment is also consistent with Ministerial Direction 11 – Strategic Assessment of Amendments under Section 12 (2) of the Act. The requirements of this direction have been followed in the course of preparing this Amendment and are embodied in this report. It also meets the requirements of the following relevant Ministerial Directions, in the following ways:

The Amendment satisfies Ministerial Direction No.1 – Potentially Contaminated Land – by providing a contamination report prepared by prepared by Greencap (May 2017) confirming that *"contaminant concentrations in soil were considered unlikely to pose an unacceptable risk to future occupiers of the site, construction workers involved in the site development and/or site/surrounding ecosystems (Page ii)."*

The Amendment is consistent with Ministerial Direction No.9 – Metropolitan Strategy – by implementing the following aspects of Plan Melbourne 2017-2030 and gives effect to, or does not compromise the implementation of, the strategy. ~~considering how the Amendment addresses the following matters:~~

Plan Melbourne affects the amendment by providing strong State-level support for urban renewal, housing within established areas, creation of 20-minute neighbourhoods, and protection of waterways, all of which would be enabled by the proposed rezoning.

The amendment addresses Plan Melbourne's policies relating to urban renewal (Policy 1.3.1), 20-minute neighbourhoods and provision of housing within established urban areas (Policy 2.1.2), and protection of waterways (Policy 6.3.2).

What aspects, if any, of the Metropolitan Planning Strategy are relevant?

Plan Melbourne's policies relating to urban renewal (Policy 1.3.1), 20-minute neighbourhoods and provision of housing within established urban areas (Policy 2.1.2), and protection of waterways (Policy 6.3.2) are of particular relevance to the proposal.

How does the Metropolitan Planning Strategy affect the Amendment?

Is the Amendment consistent with any directions and policies in the Metropolitan Planning Strategy?

The amendment is consistent with the following directions of Plan Melbourne:

- 'Direction 1.3 – Create development opportunities at urban renewal precincts across Melbourne.'
- 'Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.'
- 'Direction 2.2 – Deliver more housing closer to jobs and public transport.'
- 'Direction 2.3 – Increase the supply of social and affordable housing.'
- 'Direction 2.5 – Provide greater choice and diversity of housing.'
- 'Direction 3.2 - Improve transport in Melbourne's outer suburbs'
- 'Direction 4.3 - Achieve and promote design excellence'
- 'Direction 4.4 - Respect Melbourne's heritage as we build for the future'
- 'Direction 4.6 - Strengthen community participation in the planning of our city'
- 'Direction 5.1 – Create a city of 20-minute neighbourhoods.'
- 'Direction 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities.'
- 'Direction 6.3 – Integrate urban development and water cycle management to support a resilient and liveable city.'
- 'Direction 6.5 – Protect and restore natural habitats.'

Does the Amendment support, give effect to or assist the implementation of the Metropolitan Planning Strategy or can it be reasonably modified to do so?

—Without modifying the Strategy, the amendment would give effect to each of the directions listed above.

Will the Amendment compromise the implementation of the Metropolitan Planning Strategy?

—No. The Amendment is consistent with Plan Melbourne.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The Amendment upholds the principles and objectives of the State Planning Policy Framework. The future residential development of the Ssite would make a significant contribution to the state economy and would enhance the offering of residential facilities within Knox.

In particular, the Amendment implements key policy directions of the SPPF by:

- Applying ~~the strategy~~ Plan Melbourne [\(Clause 11, 11.06\)](#);
- Facilitating urban renewal on underutilised and serviced urban land [\(Cause 11.06\)](#);
- Improving the social, economic and environmental performance of the land by activating the Ssite [\(Clause 11.06\)](#);
- Protecting and conserving biodiversity [\(Clause 12.01\)](#);
- Managing the risk of flood and the function of floodplains and water catchments [\(Clause 13.02\)](#);
- Providing serviced land for urban growth [\(Clause 11.02\)](#);
- Facilitating future development within an existing urban area as opposed to the metropolitan fringe [\(Clause 16.01\)](#);
- Increasing land use efficiency [\(Clause 16.01\)](#);
- Facilitating the supply of land to optimise affordability of housing [\(Clause 16.01\)](#);
- Facilitating supply of social housing [\(Clause 16.01\)](#);
- Contributing towards meeting the community's future housing needs [\(Clause 16.01\)](#);
- Reducing the cost of living by increasing housing supply near services and transport options [\(Clause 16.01\)](#);
- Enabling future residential development that can contribute to community and cultural life by improving safety, diversity and choice, the quality of living environments, accessibility and inclusiveness, and environmental sustainability [\(Clause 16.01\)](#); and
- Coordinating improvements to walking and cycling networks [\(Clause 18.02\)](#).

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Amendment upholds the objectives and strategies of the Local Planning Policy Framework. No changes are required to the LPPF to facilitate the rezoning of the Ssite for residential purposes.

In particular, the Amendment implements the following key policy directions of the LPPF by:

- ~~Protecting ecological values through the proposed application of the PPRZ and retention of the ESO across the Site's riparian interface with the Corhanwarrabul Creek;~~
- Utilising the Corhanwarrabul Creek corridor as a central focus of public space;
- Creating a network of shared paths which support active modes of transport;
- ~~Applying the General Residential Zone to ensure the character of existing residential development to the east is respected;~~
- ~~Proposing a DPO across the Site and the formation of a Development Plan which is consistent with the Knox Planning Scheme;~~
- Contributing to future potential for housing diversity and well-designed housing stock;
- Providing a Cultural Heritage Management Plan to ensure any cultural heritage is understood and managed;

- Prioritising the management of stormwater runoff through a best practise storage and processing proposal;
- Providing a modest amount of additional employment land which does not compromise Knox's existing activity centre hierarchy;
- Supporting sustainable and resource efficient principles by unlocking underutilised urban land identified as a 'Strategic Investigation Site'; and
- Supporting and strengthening the local economy through the creation of short-term and long-term job creation and population spending in the area.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the VPPs by applying three zones to the ~~Site~~, being the GRZ, the PPRZ, and the MUZ, to allow for the use and development of a sustainable residential community.

Further, the Amendment proposes to apply the Development Plan Overlay to guide the Site's future development and to delete what would become a superfluous extent of the Land Subject to Inundation Overlay.

Additionally, the amendment will protect ecological values through the proposed application of the PPRZ and retention of the ESO across the Site's riparian interface with the Corhanwarrabul Creek;

How does the Amendment address the views of any relevant agency?

Melbourne Water

Melbourne Water has been consulted extensively throughout the design and modelling of hydrology effects on the ~~site~~. Their concerns in relation to -geomorphic risks, drainage, and amenity of the floodway reserve were included in the proposed concept design that was finalised in May 2016 and approved by Melbourne Water

Other Authorities

The exhibition of the Amendment will provide a formal opportunity for all relevant stakeholders to provide comment on the proposal.

The views of relevant agencies will be sought during the public exhibition process.

Site:

~~Having reviewed the initial design and landscape plans that were submitted for the Corhanwarrabul Creek floodplain, Melbourne Water outlined a number of concerns that they had with the proposal. Melbourne Water's major concerns related to:~~

- ~~• Erosion risks: Melbourne Water raised concerns that the proposed floodplain modifications could have geomorphic risks (erosion and channel avulsion risks) for the system.~~
- ~~• Ability of the floodway reserve to drain: Melbourne Water raised concerns that sections of the floodway reserve were below the invert of the creek, which may cause waterlogging issues.~~
- ~~• Appearance of the floodway reserve: Melbourne Water requested that the overall batters for the floodway reserve should be no steeper than 1 vertical to 10 horizontal to improve the amenity of the floodway reserve.~~

~~In light of the issues raised, a number of technical discussions were held and a range of design options were trialled to come up with a design that addressed Melbourne Water's~~

concerns. More than 30 design iterations were considered. Ultimately, an option which satisfactorily addressed the erosion issues was found which is summarised as follows:

- The development line was shifted back by approximately 45m to provide a larger offset from the creek where the highest erosion risks were present;
- The bed of the proposed floodway reserve was raised to improve the amenity and to allow the proposed floodway to drain away effectively;
- The high mounds through the golf course and the design levels of the proposed shared path on the creek side were lowered to better connect the broader floodplain; and
- The low lying area between Kingston Links and Stamford Park is proposed to be left as existing aside from the agreed allowance for a raised roadway connection between the two sites.

Melbourne Water is satisfied with the proposed concept design that was finalised in May 2016.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The Amendment complies with the relevant requirements of the *Transport Integration Act 2010*, specifically Part 2, Division 2, 11 (Integration of transport and land use).

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

Consideration of a future planning permit application will place the usual additional demand on the responsible authority associated with planning scheme amendments. The amendment will not result in any significant impact on the resource and administrative costs of Council.

Where you may inspect the Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Knox City Council, Civic Centre

511 Burwood Highway, Wantirna South

Operating hours: Monday, Wednesday, Thursday and Friday: 8.30am-5:00pm; Tuesday: 8.30am-8:00pm

Knox City Council

511 Burwood Highway

Wantirna South VIC 3152.

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection, www.dtpli.vic.gov.au/publicinspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by

Email: psamendments@knox.vic.gov.au

Attention: Submission to Amendment C142

OR by post (no stamp required):

City Futures, Knox City Council

Reply Paid 70243

WANTIRNA SOUTH VIC 3152

~~TBC~~

~~A submission must be sent to: TBC~~

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for the Amendment:

- directions hearing: TBC
- panel hearing: TBC

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XX/XX/2017
C142**SCHEDULE 13 TO THE DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO13**.

This schedule applies to the Kingston Links Golf Course site at 14 Corporate Drive, Rowville and the lots to the south and southeast of the site that contain the Rowville Main Drain.

The purpose of this schedule is to facilitate the development of the land as a residential community including a mixed use precinct. This schedule sets out requirements to ensure the use and development occurs in an integrated and orderly manner and provides a high quality and sustainable urban form.

1.0**Requirements before a planning permit is granted**XX/XX/2017
C142

A permit may be granted before a Development Plan has been prepared to the satisfaction of the Responsible Authority to:

- construct or carry out works relating to the maintenance or demolition of existing buildings;
- rehabilitation works to the creek corridor
- minor works;
- any works required to satisfy a Statement of Environmental Audit under the *Environment Protection Act 1970*
- subdivision of the land to realign property boundaries, or to create or remove easements or restrictions.

Any application for a planning permit lodged before the Development Plan has been prepared must be accompanied by a report demonstrating that approval will not, to the satisfaction of the Responsible Authority, prejudice the long term future of the land as set out in this Schedule.

Requirement for a Pre-Development Section 173 Agreement

Prior to the approval of a Development Plan or the granting of a planning permit, an agreement between the owner of the land and the Responsible Authority, including under Section 173 of the *Planning and Environment Act 1987* must be entered into in a form to the satisfaction of the Responsible Authority, executed and registered on the owner's land. The provisions of that agreement must include:

- requirements in relation to any earthworks to be conducted;
- provision of public open space at 8.5% of the net developable area;
- requirements for the conduct of active open space works;
- the provision of both a cash contribution and land in respect of social housing;
- a requirement for the owner of the land to enter into a further Section 173 Agreement to secure the future use of the social housing land for social housing purposes;
- a financial contribution towards a footbridge;
- a financial contribution towards a men's shed;
- the construction of the Stamford Park Link roadworks;
- a contribution to the cost of land set aside by Council for the Stamford Park link road; and
- the construction of the Corporate Drive link roadworks.

2.0 Conditions and requirements for permits

Requirement for Infrastructure

- The construction of intersection upgrades or improvements in accordance with the requirements of VicRoads and at the cost of the land owner.
- All other agreed road network and intersection upgrades, mitigation works, and reinstatement of existing assets at the cost of the land owner.
- All agreed stormwater infrastructure works within the site to be at the cost of the land owner.
- Acoustic attenuation measures (including any acoustic barriers) be provided on the boundary with the EastLink Freeway reserve (or within the reserve as appropriate) which comply with VicRoads' Traffic Noise Reduction Policy (or any subsequent publication) and the EastLink Concession Deed (or as updated), at the owner's cost.

The costs of preparation and registration of the section 173 agreement are to be borne by the land owner.

Requirement for a small lot housing code

Prior to the granting of a planning permit for the construction of a dwelling on a lot less than 300 square metres, a small lot housing code must be prepared to the satisfaction of the Responsible Authority.

If appropriate, the Responsible Authority may include a permit condition on a planning permit allowing the construction of a dwelling on a lot with an area less than 300 square metres that requires compliance with the small lot housing code.

Requirement for an Environmental Management Plan

Prior to the granting of a permit for subdivision into lots to be used for dwellings and which do not require further subdivision for that purpose, an Environmental Management Plan addressing the construction activities proposed on the land must be prepared to the satisfaction of the Responsible Authority.

The Environmental Management Plan must include:

- Soil erosion and sediment control provisions to protect existing local stormwater infrastructure, Cohanwarrabul Creek and the Stamford Park wetlands from erosion product and sediment transport by minimising erosion of lands during work.
- Hydraulics and hydrology provisions to protect and improve the floodplain, manage water quality and quantity, and protect the habitat value of Corhanwarrabul Creek and the Stamford Park wetlands (measures used should include the installation of a perimeter fence to protect the waterway prior to the commencement of works).
- Protection measures to ensure that disturbance to native flora and fauna habitat is avoided in the first instance, minimised where avoidance is not possible with appropriate contingencies incorporated to prevent the potential for the introduction of exotic flora and fauna species is abated.
- Dust suppression measures to be provided during works to minimise dust impact to EastLink.
- Measures to prevent construction fill encroaching on or being placed within the EastLink Freeway reserve.

3.0 Requirements for the Development Plan

XX/XX/2017
C142

The Development Plan must include the following documents:

- A Masterplan – that illustrates land uses (including open space), interface treatments, and an indicative road layout across the site.
- A Landscape Masterplan – that shows the landscape design concept for the site, including all streetscapes and public open space (active and passive recreation areas, natural areas, other public realm).
- An Integrated Transport Management Plan – that addresses access and movement within and to and from the site.
- An Integrated Water Management Plan – that addresses holistic stormwater management within the site and those water-related interfaces beyond the site.

In deciding whether the documents listed above are to its satisfaction, the Responsible Authority will take into account the views of Melbourne Water and VicRoads as relevant.

Masterplan

The Masterplan must include:

- The distribution of land uses throughout the site including public open space, generally in accordance with **Figure 1**.
- Detail reflecting public open space, infrastructure and other elements consistent with the Pre-Development 173 Agreement.
- A description of the indicative siting, lot configuration and land uses within the mixed use precinct.
- A hierarchy of public open spaces.
- A description of the road network and hierarchy throughout the site, including function and cross sections.
- A description of the distribution of height and massing of built form across the site, generally in accordance with **Figure 1**.
- Details of the treatment to interfaces, including a minimum rear setback to existing adjoining dwellings, generally in accordance with **Figure 1**.
- Details of the staging of future land use and development throughout the site.
- A notation that the intensity of land uses and the number of dwellings must not exceed that adopted for the traffic generation development scenario that forms part of the approved Integrated Transport Management Plan, unless otherwise agreed in writing by the Responsible Authority.
- A statement that no major promotional signage will be visible from EastLink.
- Detail on how noise attenuation measures will meet the noise level objectives in VicRoads Traffic Noise Reduction Policy (or any subsequent publication) and the Traffic Noise Criteria set out in the EastLink Concession Deed (which specifies performance criteria in relation to traffic noise) or as updated at the boundary of the EastLink Freeway reserve. All noise attenuation measures required to satisfy these objectives must be met by the relevant land owner/developer.
- Details on the fencing on the boundary of the EastLink Freeway reserve. Fencing to the EastLink Freeway reserve must complement the urban design treatment and landscaping of the EastLink corridor, restrict access to the EastLink Freeway, prevent unauthorised dumping of materials or rubbish blowing onto the EastLink Freeway reserve and prevent or minimise graffiti and vandalism.

Landscape Masterplan

The Landscape Masterplan must include:

- A statement explaining how landscape design addresses the strategic directions within the *Knox Open Space Plan 2012-2022* (or as amended).
- A statement explaining how landscape design addresses the strategic directions within the *Knox Liveable Streets Plan 2012-2022* (or as amended).
- Details of key landscape design principles and species selected throughout road reserves, along the site's key external interfaces, and within public open space.
- A planting theme that enhances local habitat values and demonstrates compatibility with the inclusion of water sensitive urban design objectives. The planting theme on the eastern boundary must respond to the landscaping and urban design of EastLink.
- How any development will address sensitive interfaces as shown in **Figure 1**, including maximum building heights and the retention of existing trees and vegetation.
- Details of the removal of vegetation not suitable for retention.

Integrated Transport Management Plan

The Integrated Transport Management Plan must include:

- An assessment of the expected impact of traffic generated by the development on the existing road network and any mitigation measures required to address identified issues.
- A statement explaining how the integrated transport network addresses the strategic directions within the *Knox Liveable Streets Plan 2012-2022* (or as amended).
- An indicative road, bicycle, and pedestrian network plan showing:
 - vehicular access from Corporate Drive to the proposed internal road network;
 - vehicular access from Stamford Park to the proposed internal road network;
 - pedestrian and bicycle access from surrounding areas, including both on-street and dedicated off-street facilities connecting to Stamford Park, Caribbean Gardens, and adjacent residential areas;
 - a street network that (a) makes provision for a vehicular link between Kingston Links and Stamford Park, and (b) discourages non-local through-traffic;
 - layout of internal roads, including a hierarchy of the roads that specifies the purpose, function, cross sections, and widths of the road reserves for each road type;
 - provision for bus movement through the site;
 - provision of emergency services and waste collection services through the site;
 - a pedestrian and cycle shared path network both throughout the site and to the existing network at Stamford Park and the Eastlink Trail with any access to the Eastlink Trail to be controlled and maintained by Council;
 - connected footpath network both throughout the site and to the existing network on Corporate Drive.

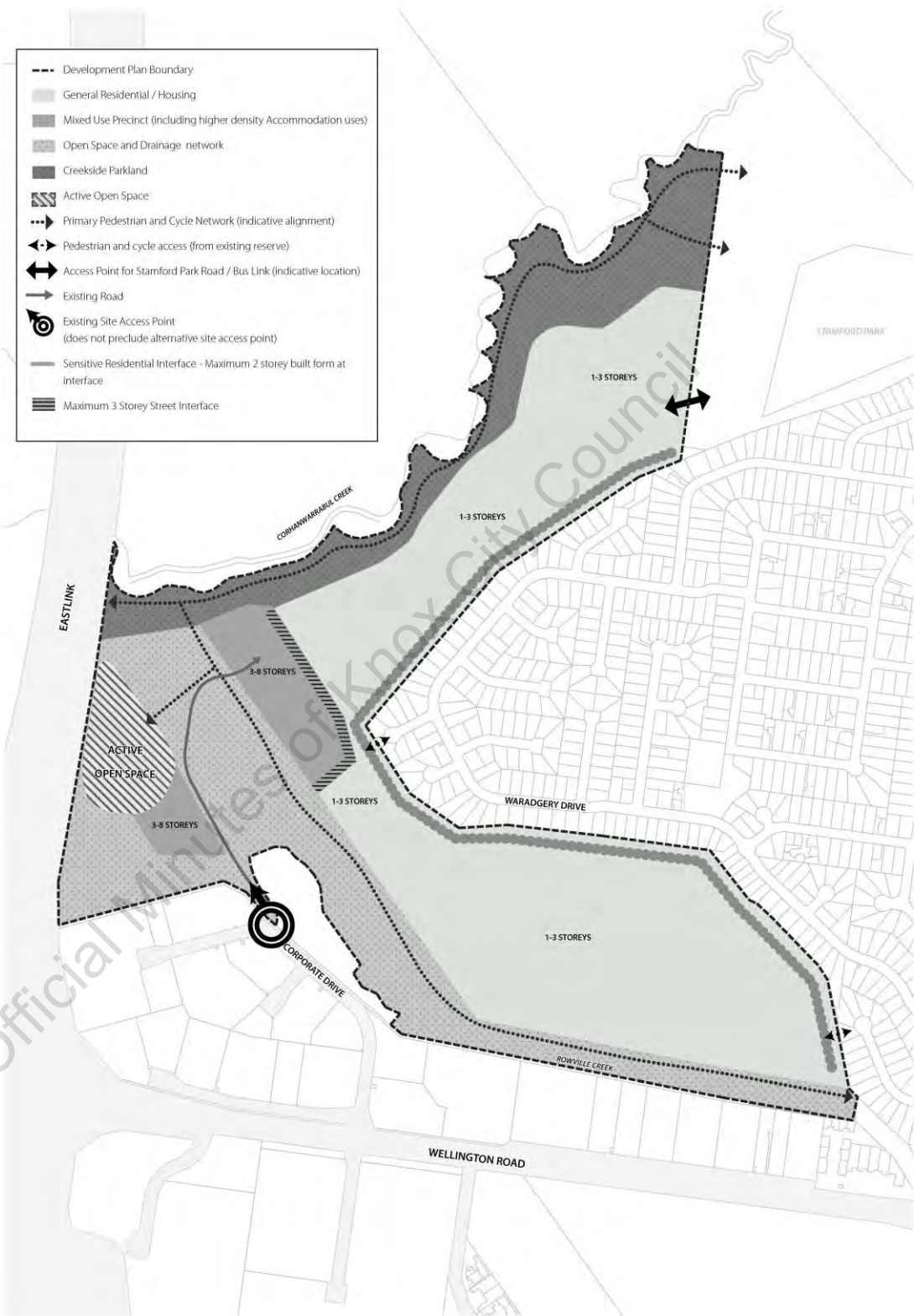
Integrated Water Management Plan

The Integrated Water Management Plan must include:

- Detailed information on how stormwater will be managed in an holistic manner.
- An assessment of the pre-development and expected post-development stormwater conditions.
- Details of how stormwater can be efficiently filtered, infiltrated and harvested on site to limit off-site discharge and meet all relevant State Government water quality targets, including:
 - Total Suspended Solids (TSS)
 - Total Nitrogen (TN)
 - Total Phosphorus (TP)
 - Total flows
- Details of how the proposed development will either maintain or increase overall stormwater storage capacity of the site.
- Details of how the proposed development will limit avulsion to minimise the risk of:
 - erosion of the creek channel or floodplain;
 - transportation of sediment downstream;
 - damage to or destruction of natural habitat and stream ecology;
 - damage to or destruction of built assets; and
 - changes in the course of the Corhanwarrabul Creek.
- Details of remediation works along the riparian zone of the Corhanwarrabul Creek.
- Details of any proposed modifications to the Corhanwarrabul Creek, and how these modifications will protect and enhance stream ecology.
- Details of how the proposed development will accommodate a 1 in 100 year ARI storm event.
- Details of how the Rowville Main Drain will be modified and how modifications will maintain and/or enhance hydraulic performance and flood protection of the local area.
- Necessary site control measures during the course of construction of any drainage works.
- Details of wetlands and stormwater maintenance works, including the removal of associated sediment to be undertaken by the land owner, for a period of two years after the completion of all works including roadworks, construction of the wetlands and inground infrastructure works.
- A statement that:
 - all surface water (up to the 1 in 100 year ARI storm event) and underground drainage will be directed away from the EastLink Freeway reserve; and
 - any works and fillings on the site must have no detrimental effect on the flood levels and drainage paths in and around the EastLink Freeway reserve;
- Notation of the requirement for a Wetlands Maintenance and Operation Plan, to the satisfaction of the Responsible Authority, prior to hand over to the public land manager of the ownership and management of stormwater infrastructure.
- Arrangements for handover to the public land manager of the ownership and management of stormwater infrastructure subsequent to the maintenance period.

4.0 Figure 1: Concept Plan

XX/XX/2017
C142



KNOX PLANNING SCHEME

19/01/2006
VC37**SCHEDULE TO CLAUSE 52.02****1.0**19/01/2006
VC37**Under Section 23 of the Subdivision Act 1988**

Land	Easement or restriction	Requirement
None specified		

2.019/01/2006
VC37**Under Section 24A of the Subdivision Act 1988**

Land	Person	Action
None specified		

3.0XX/XX/2017
C142**Under Section 36 of the Subdivision Act 1988**

Land	Easement or right of way	Requirement
RESERVE, Wellington Road, Rowville	Reserve	

KNOX PLANNING SCHEME

XX/XX/2017
C42**SCHEDULE TO CLAUSE 61.03****Maps comprising part of this scheme**

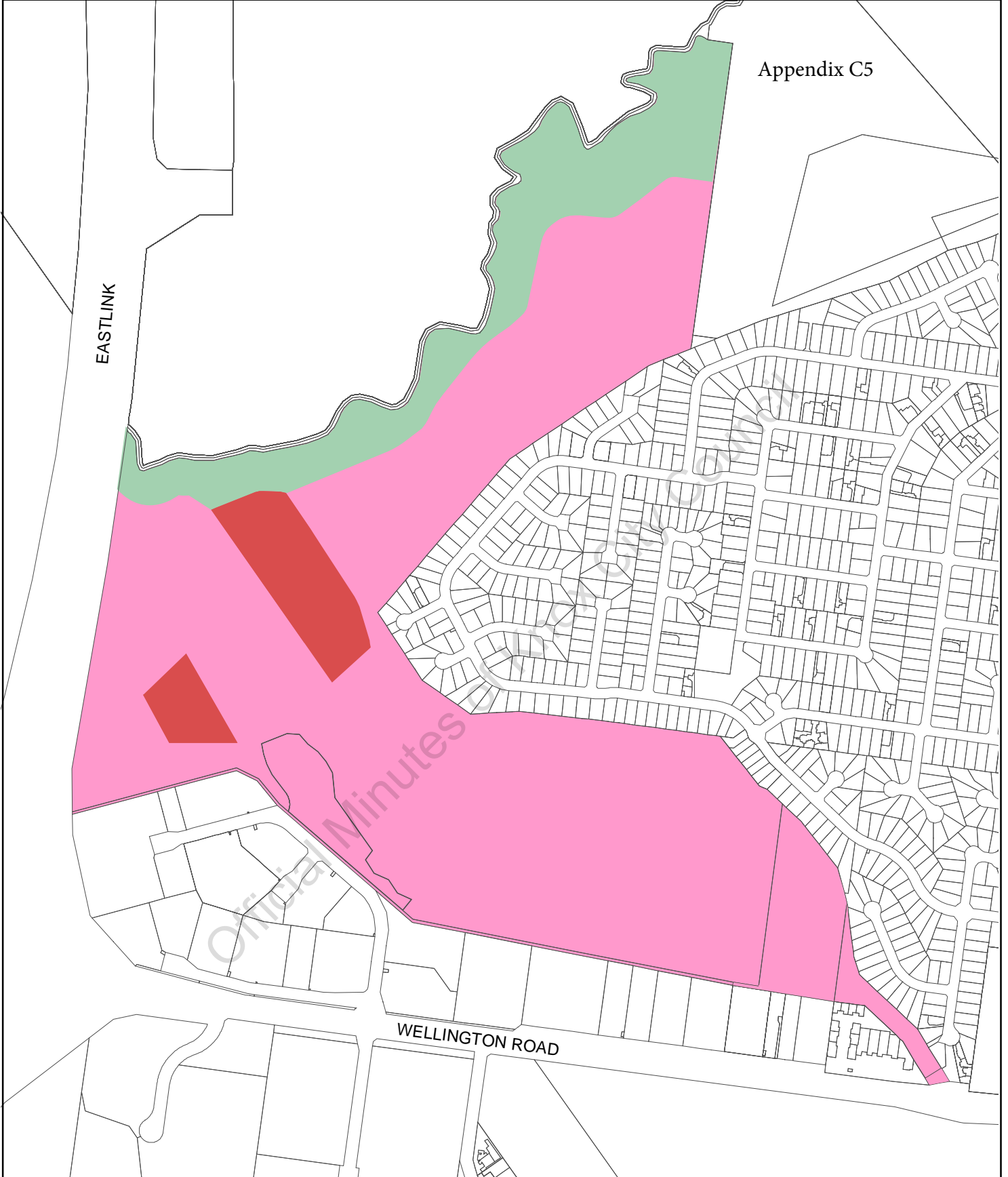
Zoning and overlay maps:

- 1, 1DPO, 1EAO, 1ESO2, 1HO, 1LSIO, 1PAO, 1SBO, 1VPO1, 1VPO2, 1VPO4
- 2, 2DDO, 2DPO, 2ESO2, 2HO, 2LSIO, 2PAO, 2SBO, 2VPO1, 2VPO2, 2VPO3, 2VPO4
- 3, 3DDO, 3EAO, 3ESO2, 3ESO3, 3HO, 3PAO, 3SBO, 3FO, 3RXO, 3SLO, 3VPO1, 3VPO2, 3VPO3, 3WMO, 3VPO4
- 4, 4DDO, 4ESO2, 4ESO3, 4FO, 4RXO, 4SLO, 4WMO
- 5, 5DDO, 5DPO, 5EAO, 5ESO2, 5HO, 5LSIO, 5PAO, 5SBO, 5VPO1, 5VPO2, 5VPO4
- 6, 6DDO, 6DPO, 6EAO, 6ESO2, 6HO, 6LSIO, 6SBO, 6SLO, 6VPO1, 6VPO2, 6VPO3, 6VPO4
- 7, 7DDO, 7DPO, 7EAO, 7ESO2, 7ESO3, 7HO, 7LSIO, 7PAO, 7SBO, 7FO, 7RO, 7RXO, 7SLO, 7VPO1, 7VPO2, 7VPO3, 7WMO, 7VPO4
- 8, 8DPO, 8ESO2, 8HO, 8LSIO, 8VPO1, 8VPO3, 8VPO4
- 9, 9DDO, 9DPO, 9EAO, 9ESO, 9ESO2, 9HO, 9LSIO, 9PAO, 9SBO, 9SLO, 9VPO1, 9VPO2, 9VPO4, 9WMO
- 10, 10DDO, 10DPO, 10ESO2, 10HO, 10PAO, 10SLO, 10VPO4, 10WMO

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KNOX PLANNING SCHEME

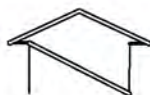
Appendix C5



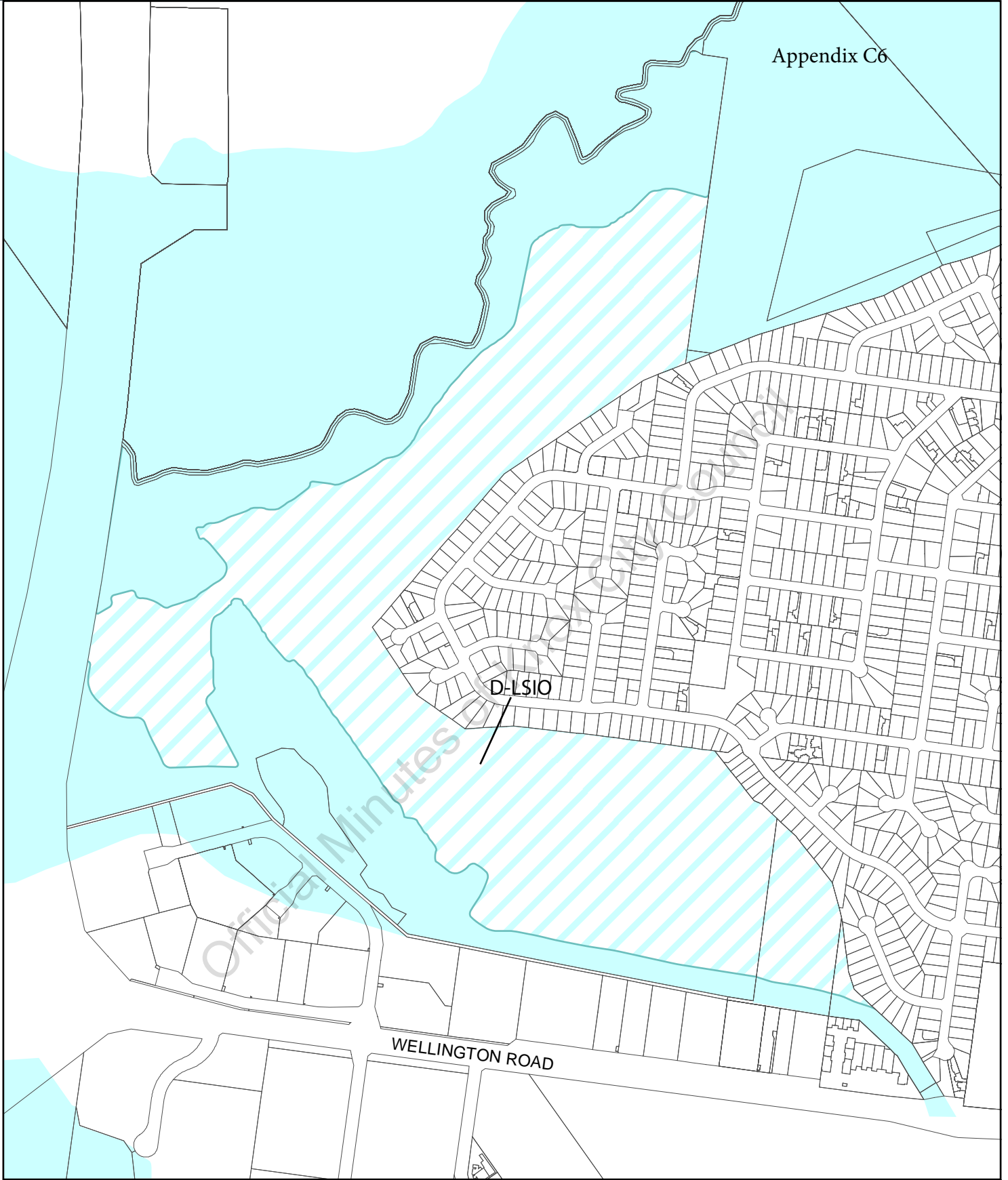
LEGEND

- GRZ GENERAL RESIDENTIAL ZONE 1
- MUZ MIXED USE ZONE
- PPRZ PUBLIC PARK AND RECREATION ZONE

AMENDMENT C142



Appendix C6



LEGEND

- LSIO LAND SUBJECT TO INUNDATION OVERLAY
- D-LSIO AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY (D-LSIO)

AMENDMENT C142



Appendix C7

EASTLINK

WELLINGTON ROAD

LEGEND

DPO13 Development Plan Overlay - Schedule 13

AMENDMENT C142



Confidential Appendix D is circulated under separate cover

Official Minutes of Knox City Council

ALL WARDS**13.2 MAYORAL AND COUNCILLOR ALLOWANCES**

SUMMARY: *Governance Officer (Kirstin Ritchie)*

Council is required to review and determine the level of the Councillor and Mayoral allowances for its 2016-2020 term of office within the period 6 months after a general election or by 30 June, whichever is later.

The Victorian Government sets the upper and lower limits for all allowances paid to the Mayor and Councillors by Order of Council. It is a requirement of Council to then determine the level of allowance within this set range.

It is proposed that the current Mayoral and Councillor allowance level be retained at the upper limit of Category 3.

RECOMMENDATION

That Council:

1. Note the submissions received under Section 223 of the Local Government Act 1989 in relation to the review of Mayoral and Councillor Allowances;
2. Endorse the proposed Council response to each of the submissions (refer to Appendix A);
3. Set the Mayoral and Councillor Allowances for the entire Council term at the maximum levels for a Category 3 Council, as determined by the Minister for Local Government (Mayoral allowances of \$94,641 plus an amount equivalent to the superannuation guarantee of \$8,990, and Councillor allowance of \$29,693 plus an amount equivalent to the superannuation guarantee of \$2,814); and
4. Note allowances will be paid monthly, with the amounts being subject to any variations or adjustments made by the Minister for Local Government during the four year Council term.

1. INTRODUCTION

At the Ordinary Meeting of Council on 22 May 2017, Council resolved to place a public notice calling on submissions relating to the review of Mayoral and Councillor allowances, in accordance with Section 223 of the Local Government Act 1989 (the Act). The public submission period opened 23 May 2017 and closed 20 June 2017.

13.2 Review of Mayoral and Councillor Allowances (cont'd)

2. DISCUSSION

The Victorian Government sets upper and lower limits for all allowances paid to the Mayor and Councillors by Order in Council. Under that Order, which specifies 3 categories of Councils based upon population and total recurrent revenue, Knox City Council is deemed a Category 3 Council.

The allowance range for a Category 3 Council, approved by the Minister for Local Government, and applicable from 1 December 2016, is:

- Mayor: up to \$94,641 per annum
- Councillors: \$12,367 - \$29,630 per annum

There is also a legislative requirement for an amount equivalent to the superannuation guarantee under Commonwealth taxation legislation (currently 9.5%) to be paid in addition to the allowance.

At least once every year, the Minister for Local Government reviews the limits and ranges of Mayoral and Councillor allowances. This review must have regard to movements in salaries of executives within the meaning of the Public Administration Act 2004. Council must increase its Mayoral and Councillor allowances in accordance with the adjustment factor specified by the Minister. The last adjustment was gazetted on 24 November 2016 and saw an increase of 2.5%.

In reviewing allowances, a Council may determine to either retain its current allowances or vary them to a different amount within the range and limit applicable to Category 3. Given the scale and complexity of Council's operations as a large metropolitan Council, it is proposed that the current allowance level be retained at the upper limit of Category 3; noting that both allowances may increase annually by an adjustment factor determined by the Minister for Local Government.

The public submission period opened 23 May 2017 and closed 20 June 2017. A total of 4 submissions were received by the conclusion of the submission period. None of the submitters requested to appear in person at the Committee meeting to be heard in support of their submission.

It should be noted that one submission did not indicate whether the individual wished to appear in person at the Committee meeting to be heard in support of the submission. A Council officer contacted the individual via email (only contact information supplied) seeking further clarification and no response was received.

As no request to be heard was received the Committee meeting, scheduled for Thursday 22 June 2017, was not held. The written submissions were distributed to the Committee for consideration.

13.2 Review of Mayoral and Councillor Allowances (cont'd)

All four of the submissions received revolved around the key themes of:

- The limited awareness of the public submission process;
- the impact of rate capping;
- the discrepancy between the Mayor and Councillor allowance amount;
- the roles and responsibilities of the Mayor and Councillors as well as the Chief Executive Officer; and
- the use of key performance indicators to measure the performance of the Mayor and Councillors.

A summary of the proposed response to each of the submissions can be found in Appendix A.

3. CONSULTATION

Section 74(4) of the Act provides that a person has a right to make a submission under section 223 of the Act in respect of a review of allowances.

In accordance with Section 223 of the Act, Council publicly advertised the review of Mayoral and Councillor Allowances inviting the community to make submissions. Public notices were placed in The Age and the Knox Leader newspapers. A page was also included on the Knox City Council website providing details on the review and inviting submissions.

All submissions have been distributed to the Committee, comprised of all nine Councillors, for consideration.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with the preparations of this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The provision of mayoral and councillor allowances is managed within Council's adopted budget.

6. SOCIAL IMPLICATIONS

There are no direct social implications associated with the preparation of this report.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The provision of a Mayoral and Councillor allowance assists Council in meeting its general objectives under the Council Plan.

13.2 Review of Mayoral and Councillor Allowances (cont'd)**8. CONCLUSION**

The proposed 2016-2020 Mayoral and Councillor allowances are submitted for Council adoption.

9. CONFIDENTIALITY

This report does not contain any confidential information.

COUNCIL RESOLUTION

MOVED: CR. LOCKWOOD

SECONDED: CR. PEARCE

That Council:

1. Note the submissions received under Section 223 of the Local Government Act 1989 in relation to the review of Mayoral and Councillor Allowances;
2. Endorse the proposed Council response to each of the submissions (refer to Appendix A);
3. Set the Mayoral and Councillor Allowances for the entire Council term at the maximum levels for a Category 3 Council, as determined by the Minister for Local Government (Mayoral allowances of \$94,641 plus an amount equivalent to the superannuation guarantee of \$8,990, and Councillor allowance of \$29,693 plus an amount equivalent to the superannuation guarantee of \$2,814); and
4. Note allowances will be paid monthly, with the amounts being subject to any variations or adjustments made by the Minister for Local Government during the four year Council term.

CARRIED

Public Submissions in relation to the Review and Mayoral and Councillor Allowances 2016-2020

No.	Name	Submission	Request to be Heard	Proposed Council Response
1	T Mustac	<p>Why does the Mayor get so much? Why do we need such a person if we have a CEO? The CEO gets too much too.</p> <p>Non of the allowances should be increased. People have not had pay rises at all SO why should you & all the staff at Knox Council. Where are you going to get the money from? Increase in the rates? How about cutting your spending & live within your means & only do the jobs required by the Council. SORRY NO INCREASES IN ANY ALLOWANCES OR WAGES. If you have the Mayor that allowance needs to be cut like the Councillors allowance. It is just getting absurd. You ask if I want to be heard WHAT A LOUGH if I go by the last council meeting I attended rate payers DO NOT GET A CHANCE to talk as we are under DICTATORSHIP. There is freedom of speech or debate as required at any meeting. You lot should be ashamed. CUT ALL YOUR SPENDING</p>	<p>Did not complete; emailed submitter and received no response.</p>	<p>The Victorian Government sets upper and lower limits for all allowances paid to the Mayor. Council then determines the level of allowance within this set range after consultation with the community.</p> <p>It is a requirement of the Local Government Act 1989 that Councillors elect a Mayor and that Council appoint a CEO. Both positions are required as they have distinct and different functions. In short the Mayor leads Council in its civic leadership and provision of strategic direction set by the Council. The CEO is responsible for the operations of Council, implementing the decisions of Council and providing advice and support to Council.</p> <p>The higher allowance provided for the Mayor is in recognition of the additional responsibilities and functions that are required of the role, including taking precedence at all municipal proceedings within the municipality and chairing all meetings of the council at which he or she is present. The mayor's role, however, extends well beyond officiating at council meetings or other municipal proceedings. In additional the Mayor's role is to provide leadership, promote positive relationships, and model good governance.</p> <p>This review of allowances is not proposing to increase the level of Mayoral and Councillor allowances. The current level of allowances is proposed to be retained with the provision of the allowances being managed by Council's adopted budget.</p>

				<p>The review of the Mayoral and Councillor allowances is a statutory requirement. As part of the review process, a person has a right to make a submission and to be heard in support of their submission. As a submitter, you had the right to request to be heard by the Committee and you have chosen not to exercise this right.</p> <p>The provision for members of the public to speak at Council meetings is governed by Council's Meeting Procedure and Use of Common Seal Local Law 2008 and is limited to the asking of up to 2 questions for a maximum time of 2 minutes each. These provisions are not intended to be used for discussion or debate.</p>
2	Wendy Belli	<p>I don't see any justification to increase across the board the annual allowances for our Councillors and Mayor. My concern is there is no way in knowing exactly what has been achieved by each individual, there are no KPI's that have been published for your rate paying community to be able to assess as to whether or not these increases are in fact due so asking for feedback is going to be solely based on our perception.</p> <p>I have no idea of the time commitment required for each councillor or the Mayor so it is difficult to know if they are meeting those requirements. The fact that our councillors are at the higher end of allowances payable, I find it hard to justify any increase when our local area seems to be standing still or going backward in certain areas. I am not certain that all of our councillors or our Mayor are doing everything necessary to make the Knox area a better place to live there are simply no measures that we as rate payers can</p>	No	<p>The review of allowances is not proposing to increase the level of Mayoral and Councillor allowances. It is proposing the current Mayoral and Councillor allowances be retained.</p> <p>Specific KPI's for Councillor performance are not mandatory under the Local Government Act 1989 (the Act). However, at least once a year the Minister for Local Government must review the allowance category for each Council and the limits and ranges of allowances within each category. For this the Minister must have regard to:</p> <ul style="list-style-type: none"> > the number of residents in the municipal area; > variations in the total recurrent revenue of each Council; and > the movements in the levels of remuneration of executives with the meaning of the Public Administration Act 2004. <p>Each Council must prepare a Council Plan, which includes the strategic objectives of the Council, the</p>

	<p>assess the success. There seems to be many areas currently where there are savings being made by council such as hard waste collections, which makes it feel like robbing Peter to pay Paul when it comes to the talk of increasing allowances.</p> <p>It is concerning to me also that this is the first time ever I have had the knowledge that our input into these allowances would be considered. I feel these sorts of things should be shared perhaps with our rates notices, so that there is a genuine amount of input from the community rather than a select few who care to chase it up.</p> <p>Perhaps given the lack of information available now would be the time for our Councillors and Mayor to reject an increase and put forward to the community exactly what it is they hope to achieve, a time frame in which they would like it to be completed, and regular updates as to the success. Another initiative which could help in gaining our support for increases is making the council meetings available to all by going to live stream, however I don't believe this will be considered given it has already been knocked back. When you have nothing to hide, hide nothing - just a thought, more transparency may help to get more of your residents back on you side.</p> <p>I do hope there is a substantial amount of feedback and that it can all be taken in to account when deciding to go ahead or not with the increases on the table. I also hope that we will be updated as soon as a decision has been made.</p>		<p>strategies for achieving the objectives for at least the next 4 years and strategic indicators for monitoring the achievement of the objectives. This plan has been informed by extensive community engagement and guides the future decision making and actions of Council. Council reports on the progress and achievement of this plan through its Annual Report and also provides quarterly progress reports on the implementation of Council's Annual Plan.</p> <p>Performance indicators of the Council against a number of standard indicators set by the State Government are reported annually and can be found at www.knowyourcouncil.vic.gov.au.</p> <p>The review of the Mayoral and Councillor allowances is a statutory requirement. Section 74 of the Act states that a review must occur within 6 months after a general election or by the next 30 June, whichever is later. The previous review of Mayor and Councillor allowances was undertaken in 2013.</p> <p>As per the legislation Council is required to publish a public notice and receive submissions. Council has complied with these requirements by placing a notice in The Age, the Knox Leader and on Council's website. The timing of the review does not coincide with the distribution of rates notices.</p> <p>Live streaming of Council meetings is governed by the Meeting Procedure and Use of Common Seal Local Law. This Local Law will be reviewed later in the year and will consider this matter. This review will also seek feedback from the community on the proposed changes.</p>
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3	Karen Coulson	<p>In today's tight rate capping environment, as a rate payer I find it hard to justify increases to Councillor and Mayoral allowances, especially when they are currently in the very upper end of the Victorian Government limits. When cost savings are being sought out across Council, I believe that increases in allowances, particularly the Mayor allowance should be frozen. This would send a message to the community and the Council organisation that these cost savings are being taken seriously from the top down.</p> <p>I, along with many of my fellow constituents, had no knowledge that in the past, residents had a voice in regards to this process. I have asked questions since this feedback was sought by Council, about performance measures and expectation of Councillors to enable them to receive these allowances, in an effort to provide balanced feedback based on fact, and I am disappointed that there does not appear to be any. It appears that the minimum requirement for Councillors to perform their duties is attending one ordinary council meeting per month. I believe the effort put in varies considerably from Councillor to Councillor and therefore an overall allowance increase does not seem proportional to the effort put in to the community. In addition to this, there does not appear to be any increase in workload or cost escalations to Councillors, and neither is there any accountability for performance, therefore I see no justification for an increase in allowances.</p> <p>I also find it difficult to understand the expectation and performance required for the role of Mayor and how this justifies such a huge increase from the Councillor Role. Again, I have asked questions and have not been provided with any substantial measures or reasons as to why the</p>	No	<p>This review of allowances is not proposing to increase the level of Mayoral and Councillor allowances. It is proposing the current Mayoral and Councillor allowances be retained.</p> <p>The review of the Mayoral and Councillor allowances is a statutory requirement. Section 74 of the Local Government Act 1989 (the Act) states that a review must occur within 6 months after a general election or by the next 30 June, whichever is later. The previous review of Mayoral and Councillor allowances was undertaken in 2013.</p> <p>As per the legislation Council is required to publish a public notice and receive submissions. Council has complied with these requirements by placing a notice in The Age, the Knox Leader and on Council's website. The timing of the review does not coincide with the distribution of rates notices.</p> <p>Specific KPI's for Councillor performance are not mandatory under the Local Government Act 1989 (the Act). However, at least once a year the Minister for Local Government must review the allowance category for each Council and the limits and ranges of allowances within each category. For this the Minister must have regard to:</p> <ul style="list-style-type: none"> > the number of residents in the municipal area; > variations in the total recurrent revenue of each Council; and > the movements in the levels of remuneration of executives with the meaning of the Public Administration Act 2004. <p>Each Council must prepare a Council Plan, which includes the strategic objectives of the Council, the strategies for achieving the objectives for at least the next 4 years and strategic indicators for monitoring the achievement of the objectives. This plan has</p>
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		<p>Mayor should have such a large allowance, – \$94,641, plus superannuation of \$8,990, plus additional benefits and a Council supplied car is a vast sum of money (and benefits), and more than most people make in a year. Many people are really struggling in our community and this Mayoral allowance does not seem reasonable in contrast.</p> <p>In addition, I would like to comment on the selection process for the role of Mayor. Can the process for selection change to allow greater input as to will become Mayor? I would prefer to see this put out to constituents to decide on this, however I appreciate that the practicalities of this are not necessarily achievable, so I would like to know if at the very least, the decision of who takes on the role of Mayor can be a vote of Council organisation staff.</p>	<p>been informed by extensive community engagement and guides the future decision making and actions of Council. Council reports on the progress and achievement of this plan through its Annual Report and also provides quarterly progress reports on the implementation of Council’s Annual Plan.</p> <p>Performance indicators of the Council against a number of standard indicators set by the State Government are reported annually and can be found at www.knowyourcouncil.vic.gov.au.</p> <p>The role of a Councillor is defined in section 65 of the Act. Councillors are expected to participate in the decision making of the Council, represent the local community in that decision-making and to contribute to the strategic direction of the Council through the development and review of key strategic documents of Council. This involves attending monthly Council meetings as well as late night and weekend commitments.</p> <p>The higher allowance provided for the Mayor is in recognition of the additional responsibilities and functions that are required of the role, including taking precedence at all municipal proceedings within the municipality and chairing all meetings of the council at which he or she is present. The mayor’s role, however, extends well beyond officiating at council meetings or other municipal proceedings. In additional the Mayor’s role is to provide leadership, promote positive relationships, and model good governance.</p> <p>Section 71 of the Act details the election of the Mayor and states that Councillors must elect a Councillor to be the Mayor. Staff are employed at the sole discretion of the CEO, therefore it is not</p>
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				possible nor appropriate to have Council staff elect the Mayor.
4	Pam Hutchinson	<p>Whilst I realise the majority of my issues fall under State Government directives, seeing the Knox community is able to provide feedback, I am taking this opportunity to give mine.</p> <p>I don't have any issue with the amount of Councillors' allowance mainly due to the fact there is a lot of night and weekend work on top of whatever duties are carried out during "normal" working hours.</p> <p>I do strongly believe the huge discrepancy between the Councillors and Mayoral allowances is unjustified and unwarranted.</p> <p>I also believe these "allowances" should be a taxable salary. As far as I'm concerned this system is basically set up as legal tax evasion and as such, I intend to voice my opinion to the LG Minister as this would fall under her portfolio.</p> <p>I, and I'm sure many other residents, would like to know if there is a formal job description and if there are any minimum requirements (eg. Meetings attended, hours worked, etc) for holding the positions of Councillor and Mayor and also how Council justifies paying all Councillors equally when from reading the minutes of Ordinary Meetings, it is clear to see some Councillors attend a large number of community meetings, events and so forth and others barely attend any. Having said that, I do realise there are a number of Councillors who put in a lot of time and effort behind the scenes which is not officially recorded.</p>	No	<p>The higher allowance provided for the Mayor is in recognition of the additional responsibilities and functions that are required of the role, including taking precedence at all municipal proceedings within the municipality and chairing all meetings of the council at which he or she is present. The mayor's role, however, extends well beyond officiating at council meetings or other municipal proceedings. In addition the Mayor's role is to provide leadership, promote positive relationships, and model good governance.</p> <p>The Local Government Act 1989 (the Act) does not set a requirement around hours expected to be worked or number of community meetings or events that should be attended. The Act does however, define the role of Council, Councillors and the Mayor. For example, section 65 of the Act states that Councillors are expected to participate in the decision making of the Council, represent the local community in that decision-making and to contribute to the strategic direction of the Council through the development and review of key strategic documents of Council.</p> <p>Council prepares an Annual Report that reports to the community the progress and achievement of the Council plan strategic directions and also the adherence to its legislative obligations.</p> <p>Performance indicators of the Council against a number of standard indicators set by the State Government are reported annually and can be found at www.knowyourcouncil.vic.gov.au.</p>

ALL WARDS**13.3 SUBMISSION TO THE MUNICIPAL ASSOCIATION ACT REVIEW**

SUMMARY: *Manager – Governance and Innovation (Fleur Cousins)*

This report seeks Council endorsement of the draft submission, refer to Appendix A, in response to the Municipal Association Act Review that is being conducted by the Department of Environment, Land, Water and Planning.

RECOMMENDATION

That Council endorse the draft submission in Appendix A, in response to the Municipal Association Act Review and submit in by Friday 30 June 2017.

1. INTRODUCTION

The Department of Environment, Land, Water and Planning, on behalf of the State Government has advised Council that it is currently conducting a review of the *Municipal Association Act 1907* (the MA Act) and provided a consultation paper containing a number of proposed reforms for consideration. A copy of the consultation paper is at Appendix B.

2. DISCUSSION

The Municipal Association of Victoria (MAV) was formed in 1879 and is a representative body established to 'promote efficient municipal government throughout the State of Victoria and promote the interests, rights and privileges of municipal corporations' (*Municipal Association Act Review Consultation Paper*).

The review of the MA Act, is the first comprehensive review of the legislative framework since it was enacted in 1907. Since this time, the MAV has evolved and developed to respond to and support the Victorian local government sector.

As defined within the Municipal Association Act Review Consultation (the consultation paper) the objectives of the proposed reforms are to:

- *Modernise the MA Act to reflect current standards of good governance.*
- *Clarify the roles and powers of MAV and ensure a level of independence from State Government is maintained to ensure that MAV can act as an effective advocate.*
- *Provide appropriate oversight over MAV's insurance function to ensure these activities are transparent and accountable and that councils are receiving the best outcome from MAV's services.*
- *Where possible, be consistent with the reforms to the Local Government Act 1989 and the governance standards imposed on public entities, incorporated associations and State insurers.*

13.3 Submission to the Municipal Association Act Review (cont'd)

Overall, the draft submission for Knox Council supports the proposed reforms outlined in the consultation paper.

3. CONSULTATION

The draft submission attached as Appendix A is in response to a consultation paper released by the State Government, refer Appendix B. The provision of a response to this consultation paper provides an opportunity for Knox Council to provide feedback on key proposed reforms that will inform future amendments to the MA Act.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues related to this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial or economic implications related to this report.

Council continues to be a financial member of the MAV at a cost of \$60,898 for the 2016-17 financial year. Provisions for the membership fee have been made in the proposed 2017-18 budget.

6. SOCIAL IMPLICATIONS

There are no social implications related to this report.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The submission of a response to the Municipal Association Act Review Consultation Paper responds to Goal 8 – We have confidence in decision making and Strategy 8.1 – Build, strengthen and promote good governance practices across government and community organisations as defined within the Knox Community and Council Plan 2017-21.

The proposed reforms to the MA Act, outlined in the consultation paper, seeks to improve and strengthen the governance and accountability requirements of the MAV, which is supported by Knox Council.

8. CONCLUSION

The Department of Environment, Land, Water and Planning on behalf of the State Government has invited submissions from councils on the proposed reforms to the Municipal Association Act 1907. The report provides a draft submission on behalf of Knox Council and seeks Council to endorse the draft submission in Appendix A and submit it by Friday 30 June 2017.

13.3 Submission to the Municipal Association Act Review (cont'd)**9. CONFIDENTIALITY**

There are no confidential matters related to this report.

COUNCIL RESOLUTION

MOVED: CR. LOCKWOOD

SECONDED: CR. MORTIMORE

That Council endorse the amended draft submission in Appendix A, in response to the Municipal Association Act Review and submit in by Friday 30 June 2017.

CARRIED

Official Minutes of Knox City Council

Municipal Association Act Review

Response to the Consultation Paper – dated May 2017

Role and Powers

How will MAV's role be expressed? – Refer page 4 of consultation paper

Questions Asked:

Do you support the proposed reforms to the role of MAV?

Council supports the reforms proposed to define the role of the MAV and that the role is one of representing the interests of and being accountable to member Councils. This section should be enabling and not limit the future needs of Councils in a dynamic and changing operating environment.

What is MAV's legal status? – Refer page 4-5 of consultation paper

Questions Asked:

Do you support the proposed amendments to MAV's powers as a body corporate?

Council supports the proposed reforms to the MAV's powers as a body corporate. These provisions support the MAV to ensure it can meet the role as defined above and remain contemporary to the needs of members.

Who are MAV's members? – Refer page 5 of consultation paper

Questions Asked:

Do you support making clear that each council has a right to appoint one of their councillors as their MAV representative?

Council supports the retention and strengthening of the provision of membership and the clarification of the right to appoint a 'councillor from that council' as the representative. The right to appoint an MAV representative should be in accordance with the MAV rules that define membership is based on being a financial member.

Responsibilities

What is the governing body responsible for? – Refer page 6 of consultation paper

Questions Asked:

Do you support the inclusion of responsibilities for the appointed representatives?

Council supports the inclusion of a section that defines the responsibilities of appointed representatives as outlined in the consultation paper.

Municipal Association Act Review - 2017

How are the rules for the management of MAV made, adopted and amended? – Refer page 6-7 of consultation paper

Questions Asked:

Do you support the proposal that the State Council have the power to make or amend the MAV rules?

Council supports the proposed reform to provide the State Council with the power to make or amend the MAV rules. This will support the enabling nature of the legislation and provide the ability for the MAV State Council to improve its processes and governance frameworks as required and in response to emerging best practice. This also aligns to the principles that sit behind the reform currently being considered to the Local Government Act 1989.

What functions does the board of management perform? – Refer page 7 of consultation paper

Questions Asked:

Do you support setting out the functions and responsibilities of the board of management in the MAV Act?

Council supports the proposed reform in setting out the functions and responsibilities of the board of management in the MA Act. This provision would provide clarity as to the different responsibilities of the State Council compared to the board of management.

What conduct is expected of board members? – Refer page 8 of consultation paper

Questions Asked:

Do you support the addition of conduct provisions for the board of management?

Council supports the board of management be required to operate in accordance with specific conduct provisions and that these provisions should be consistent with the Corporations Act, particularly given the MAV's legal status is as a body corporate.

On this basis, is it necessary to add conduct provisions to the MA Act, or rather require the board of management to meet the obligations of the Corporations Act?

If conduct provisions are included in the MA Act, the conduct provisions of acting in good faith in the best interests of MAV and with reasonable degree of care, diligence and skill, implies that the board is acting honestly, with integrity and in a financially responsible manner, therefore are not required to be listed separately.

One provision that has not been referred to is the misuse of information. This is also reflected in the Corporations Act, is a feature of the Local Government Act and should be reflected in the MA Act.

Municipal Association Act Review - 2017

Who has oversight over executive and CEO remuneration? – Refer page 8 of consultation paper

Questions Asked:

Do you support the requirement for a remuneration policy?

Council supports the requirement for a remuneration policy and that the reference to the Victorian Public Sector Commission's Policy on Executive Remuneration for Public Entities in the Broader Public Sector is being consistent with the proposed direction for Council's to have a CEO remuneration policy under the Local Government Act 1989.

Reporting and Accountability

How will MAV manage and report on its finances? – Refer page 9 of the consultation paper

Questions Asked:

Do you support the principles of sound financial management?

Council supports the inclusion of the principles of sound financial management in the MA Act.

What strategic planning and reporting documents will be required? – Refer to page 9-10 of the consultation paper

Questions Asked:

Do you support increased accountability to the member councils and the Minister as set out in the proposed reforms?

Council supports the inclusion of expected accountability to member councils ~~and the Minister~~, which is also reflective of the provisions that have already been implemented by the MAV. Council acknowledges the proposal to submit annual reports to the Minister within 4 months from the end of a financial year and is supportive of this proposal. Council would expect that these accountability requirements be met by the MAV within the current rates of membership fees and not create an additional cost burden on member councils.

How will procurement be carried out? – Refer to page 10 of the consultation paper

Questions Asked:

Do you support the requirement for MAV to adopt a procurement policy?

Council supports the requirement for the MAV to develop and adopt a procurement policy.

How will MAV's risk be managed? – Refer to page 10-11 of the consultation paper

Questions Asked:

Do you support the requirement to establish an audit and risk committee as detailed in the proposed reform?

Council supports the requirement for the MAV to establish an audit and risk committee that is independently chaired and recognises that this reflects the MAV's current practice.

Municipal Association Act Review - 2017

Insurance

How will MAV's mutual liability insurance scheme operate? – Refer page 12 of the consultation paper

Questions Asked:

Do you support the inclusion of a regular review mechanism to assess whether the provisions relating to MAV's insurance functions remain appropriate?

Council supports the retention of MAV providing mutual liability insurance for the benefit of Victorian councils and the inclusion of a requirement to review the MAV's insurance functions on a five (5) yearly basis.

How will MAV's insurance activities be prudentially managed? – Refer page 12-13 of the consultation paper

Questions Asked:

Do you support the inclusion of a prudential supervision framework for MAV's insurance activities?

Council supports the inclusion of a prudential supervision framework for the MAV's insurance activities in recognition of the both the risk and benefits associated with these activities.

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Municipal Association Act Review

Consultation Paper

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May 2017

Minister's Foreword

The Municipal Association of Victoria is a critical part of the local government infrastructure in this state which is why renewing its Act is an essential component of our government's commitment to reform the legislative framework under which councils operate.

The Government has also set out a detailed agenda for reform to the *Local Government Act 1989* through its *Act for the Future* Directions Paper. *Act for the Future* outlines a vision for councils of the future that are more democratic, innovative, collaborative and responsive to their local communities. The Government is continuing the discussion with councils and the community on strengthening the broader legislative framework.

The current Municipal Association Act, which became law in 1907, ceased to fully reflect the role and activities of the Municipal Association of Victoria (MAV) many years ago.

The MAV's role in Victoria's local government landscape is to advocate for councillors and the sector, build the capacity of Victoria's councils and be a policy leader when it comes to effective council practice. To perform its role effectively, the MAV and the councils it exists to serve, deserve a contemporary Municipal Association Act that genuinely reflects, its powers, activities and governance arrangements.

A recent Auditor-General's review of the effectiveness of support for Local Government also recommended that the Government review the MAV's functions, roles, responsibilities, powers and obligations in the context of its existing legal framework. We want to reflect this thinking in a contemporary, accurate MA Act. A critical part of this challenge is to ensure contemporary standards of governance and accountability are met, including clarity about the role, function and make-up of MAV's board.

While the Auditor General specified that this review ought to be undertaken in consultation with relevant Government Departments, it is equally vital that the MAV's clients – Victoria's councils – have their say about the legislation.

I encourage you to take the opportunity to respond to this options paper and have your say on how the Municipal Association of Victoria can best serve the councils of the next generation and, by extension, Victoria's diverse local communities.

The Hon Natalie Hutchins MP
Minister for Local Government

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Introduction

The Municipal Association Act review seeks to create contemporary legislation that delivers a governance and accountability framework for the Municipal Association of Victoria to perform its functions and represent, promote and support the interests of Victorian councils.

Why review the MA Act

The *Municipal Association Act 1907* (the MA Act) has not undergone a comprehensive review since its enactment in 1907. The result of this is an Act that often does not reflect the current activities carried out by the Municipal Association of Victoria (MAV). Some provisions of the current Act are also redundant or not in operation.

The Minister for Local Government is responsible for administering the MA Act and has committed to reviewing the MA Act as part of the broader Local Government Act review.

Context

MAV is a representative body established to promote efficient municipal government throughout the State of Victoria and promote the interests, rights and privileges of municipal corporations.

MAV was formed in 1879, and has a long history of supporting councils and councillors including:

- advocating for local government interests
- building the capacity of Victorian councils
- facilitating effective networks
- initiating policy development and advice
- supporting councillors
- promoting the role of local government
- providing governance support and services.

In 2015, the Victorian Auditor-General released a report into the effectiveness of support for Local Government (the Auditor-General's report). The Auditor-General's report recommended that the Department of Environment, Land, Water and Planning (DELWP), review and determine MAV's functions, roles, responsibilities, powers and obligations through an analysis of its existing legal framework and:

- ensure this is reflected in the MA Act

- ensure contemporary standards of governance and accountability are met, including the role, function and make-up of MAV's board (the board of management)
- consult with relevant departments to consider whether the *Public Administration Act 2004*, *Financial Management Act 1994* and *Public Records Act 1973* should apply to MAV
- assure itself, following any review, that all activities undertaken by MAV are clearly within its power.

Overview of proposed reforms

This consultation paper outlines a series of possible reforms to contemporise the MA Act and address the concerns raised by the Auditor-General's report. The paper is designed to elicit feedback from MAV's members and the wider local government sector to test levels of support for the proposed reforms.

The objectives of the proposed reforms are to:

- modernise the MA Act to reflect current standards of good governance
- clarify the roles and powers of MAV and ensure a level of independence from State Government is maintained to ensure that MAV can act as an effective advocate
- provide appropriate oversight over MAV's insurance function to ensure these activities are transparent and accountable and that councils are receiving the best outcome from MAV's services
- where possible, be consistent with the reforms to the *Local Government Act 1989* and the governance standards imposed on public entities, incorporated associations and State insurers.

Reform principles

The consultation paper has been guided by the following principles:

Principle 1	An Act that is contemporary, meets future needs and is clear and comprehensive
Principle 2	Enable good governance and corporate effectiveness
Principle 3	Ensure transparency and accountability to member councils, the community and the state
Principle 4	Ensure there is appropriate oversight over insurance activities

The first principle speaks to the need to create legislation that is contemporary, meets future needs and is clear and comprehensive. The current MA Act has been in operation since 1907 and is largely outdated. The new legislation must reflect the nature of the MAV and the range of support and services MAV provides to the local government sector.

The second principle speaks to the need to introduce a modern governance framework that meets the expectations of a statutory body and supports a culture of good conduct and accountable governance by providing:

- a clear understanding of the responsibilities of MAV's council representatives and the board of management
- systems to ensure integrity and good conduct
- effective financial management
- strategic planning and performance monitoring against desired outcomes.

The third principle speaks to the need to provide transparency over MAV's operations and greater accountability to member councils by providing an obligation to report, explain and be answerable to member councils while maintaining an appropriate level of independence from State Government to ensure that MAV can act as an effective local government advocate.

The fourth principle speaks to the need for a comprehensive regulatory framework over MAV's insurance function that includes legislation, policy and guidelines designed to ensure appropriate financial management and risk management practices and consistent financial reporting.

Structure of this paper

The consultation paper is broken down into four areas of reform:

The chapter on **roles and powers** addresses principles 1 and 2 and seeks to build a strong understanding of MAV's role, powers and membership.

The chapter on **responsibilities** addresses principles 1 and 2 and seeks to introduce good practice governance standards, including clarity around misuse of position and conflict of interest.

The chapter on **reporting and accountability** addresses principles 1 and 3 and seeks to provide greater transparency and an obligation to report, explain and be answerable to member councils.

The chapter on **insurance** addresses principles 1 and 4 and seeks to ensure that MAV insurance is prudentially managed to safeguard the interests of policy holders and claimants.

Each chapter invites your response to a series of questions to test support for the proposed reforms.

Role and powers

How will MAV's role be expressed?

The preamble to the current MA Act states that the purpose of MAV is to promote the efficient carrying out of municipal government throughout the State of Victoria and watch over and protect the interests, rights and privileges of councils and establish and conduct a Municipal Officers Fidelity Guarantee fund.

Over time MAV's functions have expanded to include:

- mutual liability insurance (LMI)
- support to councils to build their emergency management capabilities and capacities
- advocacy for the sector's economic and financial needs and greater recognition of local government's role in a range of government funding programs
- sector-wide advice on governance issues, and assistance to individual councils on a broad range of internal and external governance matters
- insurance brokerage services
- private health insurance for council employees and councillors
- procurement on behalf of councils
- policy analysis, advice and advocacy, project support and management to support councils.

REFORM OBJECTIVES

The current preamble no longer reflects the scope of the work MAV is doing in the local government sector.

The objective of the proposed reform option is to capture MAV's overarching role to represent the interest of its member councils and its broader responsibilities to advocate on behalf of councils and support and provide services to councils.

The proposed role of MAV also seeks to capture MAV's role in building the capacity of councils and facilitating beneficial collaborative working relationships and shared services between councils. As a peak local government body, MAV is in an ideal situation to assist councils to improve their social, economic and environmental sustainability through collaborative arrangements and shared services.

The objective is not to limit the scope of MAV's functions but to clarify MAV's role in line with its activities.

PROPOSED REFORM

1. Replace the preamble with a provision that clearly sets out that the role of MAV is to represent members' interests and be accountable to member councils including:
 - advocating and promoting local government interests
 - building the capacity of councils
 - facilitating collaboration and shared services between councils
 - providing support and advice to local government
 - providing insurance protection for local government.

QUESTIONS

Do you support the proposed reforms to the role of MAV?

If no, what alternative option(s) would you propose?

What is MAV's legal status?

Under section 2(1) of the MA Act, MAV is established as a body corporate that has perpetual succession and a common seal and is capable in law of suing and being sued.

Under section 2(3) MAV has the power to:

- compound or prove in any court of competent jurisdiction all debts or sums of money due to the Association
- purchase, take hold, sell, lease, take on lease, exchange or dispose of land or any real or personal property
- erect buildings on any land acquired by the Association, to alter buildings thereon, or to demolish buildings thereon and erect new buildings in their place whether such buildings or any part or parts thereof are intended for use or occupation by the Association or for leasing
- lease any buildings the property of the Association or any part or parts thereof on such terms and conditions as the Association thinks fit

- purchase rent hire or otherwise make provision for the use of furniture or fittings and business equipment or services
- establish and manage a mutual liability insurance scheme for the purpose of providing public liability and professional indemnity insurance
- subject to the making of sufficient provision for meeting liabilities and expenses, use any moneys under its control other than any money required to be paid into the Local Government Investment Service Fund pursuant to section 15 in purchasing or financing the purchasing of property and may borrow moneys, whether with or without security, for the purchase of any such property
- do all things necessary or convenient to be done for or in connection with the operation of the Local Government Investment Service Fund.

REFORM OBJECTIVES

MAV's powers are inconsistent with the powers of a body corporate set out in other Acts, including the *Associations Incorporation Reform Act 2012*, *Local Government Act 1989* and the *Victorian Managed Insurance Authority Act 1996*. The aim of the proposed reforms is to provide greater consistency with other legislation and provide MAV with the powers needed to perform its role.

PROPOSED REFORM

2. Retain MAV's status as a body corporate under the MA Act.
3. Amend MAV's powers to provide that MAV has the power to:
 - do all other things necessary or convenient to be done for or in connection with, or as incidental to, the achievement of its role or the performance of its functions
 - undertake and carry on in Victoria or elsewhere insurance business for the purpose of providing insurance or insurance services under and for the purposes of the MA Act.

to MAV's powers as a body corporate?

If no, what alternative option(s) would you propose?

Who are MAV's members?

Section 2(2) of the MA Act enables councils to appoint a councillor as their representative to the MAV. These representatives constitute MAV.

Appointing a representative to the MAV is discretionary as is financial membership to the organisation.

REFORM OBJECTIVES

The proposed reform seeks to retain and strengthen the representative nature of MAV.

PROPOSED REFORMS

4. Provide that each council has a right to appoint a councillor from that council as their representative and that these representatives constitute MAV.

QUESTIONS

Do you support making clear that each council has a right to appoint one of their councillors as their MAV representative?

If no, what alternative option(s) would you propose?

QUESTIONS

Do you support the proposed amendments

Responsibilities

What is the governing body responsible for?

MAV refers to the appointed representatives as the 'State Council' and describes it as MAV's governing body. Under the MAV Rules, the State Council is given the power to:

- determine the Rules of the Association (subject to Governor in Council approval)
- elect the president and the twelve other regionally grouped members of the board of management
- determine MAV's strategic direction
- appoint the auditor.

The MA Act does not contain any provisions relating to the role or responsibilities of the State Council.

REFORM OBJECTIVES

The proposed reform seeks to retain and strengthen the representative nature of MAV and provide greater understanding of the responsibilities of the State Council representatives.

PROPOSED REFORM

5. Insert a provision that provides that the appointed representatives are responsible for:
 - determining the rules of the association
 - appointing the president and board of management
 - determining the strategic direction of MAV.

QUESTIONS

Do you support the inclusion of responsibilities for the appointed representatives?

If no, what alternative option(s) would you propose?

How are the rules for the management of MAV made, adopted and amended?

Section 3(2) of the MA Act enables MAV, with the approval of the Governor in Council, to make rules for the management of MAV, the regulations of its proceedings and a number of other matters.

Some of the key matters dealt with under the Rules include:

- the objectives of MAV
- the membership of the Association
- the appointment and obligations of representatives
- the management of the board and elections
- the municipal officers' fidelity guarantee fund
- amending the rules with Governor in Council approval where 60 per cent of the representatives vote in favour of the amendment.

The Auditor-General's report noted that MAV's rules provide the authority to perform and exercise functions and powers that would ordinarily be reserved for enabling legislation.

REFORM OBJECTIVES

The proposed reforms seek to provide the flexibility to MAV to adopt a robust set of rules that reflect any changes to MAV's governance and corporate arrangements that may flow from this review and that align with best practice. The reform option seeks to enable MAV to put in place robust processes for the election of the board of management and the dismissal of the board or individual board members in the event of governance failure.

The reforms also seek to clarify that the rules are the responsibility of MAV and do not constitute a legislative instrument under the *Subordinate Legislation Act 1994*.

PROPOSED REFORMS

6. Provide MAV the power to make rules for the management of MAV.
7. Provide that a rule that is inconsistent with the Municipal Association Act or contrary to law is of no effect.
8. Provide that the following matters must be provided for in the rules:
 - annual fees
 - rights, obligations and liabilities of members
 - the election of the President and board of management
 - procedures for assessing the performance of the board of management and dealing with governance failures.

9. Provide that the rules may be amended, removed or remade if 60 per cent of the representatives vote in favour of the change.

QUESTIONS

Do you support the proposal that the State Council have the power to make or amend the MAV Rules?

If no, what alternative approval process would you propose?

What functions does the board of management perform?

The MA Act does not contain any provisions relating to the board of management.

Under the Rules, the board of management is made up of 12 representatives, grouped regionally, and a president selected through a general elections process. Members are elected for a two-year term.

The board of management's responsibilities include to:

- define the detail of policies, objectives and strategies determined by State Council
- set and evaluate directions, priorities and performance standards for MAV
- appoint the CEO and monitor his or her performance
- liaise with MAV representatives from their regions
- adopt the annual budget.

The board of management have developed and implemented a number of policy documents including:

- MAV Fraud & Corruption Framework & Plan
- MAV Fraud & Corruption Policy
- MAV Procurement Process Overview
- MAV Protected Disclosure Policy
- MAV Protected Disclosure Procedures
- MAV Sponsorship Policy
- MAV Staff Code of Conduct
- MAV Procurement Policy.

The board of management delegates its insurance functions to a separate MAV Insurance Board under a deed of establishment. The insurance board is made up of the Chief Executive Officer (CEO) of MAV, the president of MAV, a board member and three independent members (of which the Chair is one).

REFORM OBJECTIVES

The proposed reforms seek to strengthen the accountability and transparency of the board of management by specifying the functions of the board and ensuring appropriate systems are in place to manage the affairs of MAV and monitor the exercise of delegated powers.

The proposed reforms also seek to obtain consistency with the *Public Administration Act 2004* and the *Victorian Managed Insurance Authority Act 1996*.

PROPOSED REFORMS

10. Provide for MAV to have in place a board of management with functions to include:

- the sound and prudent management of the affairs of MAV
- excising the powers of MAV (including the power of delegation)
- providing general directions as to the performance of MAV's functions and the achievement of its objectives
- reporting on MAV's performance and financial transactions
- monitoring the performance of its Chief Executive Officer.

11. Provide that the board of management must have mechanisms in place for monitoring the exercise of delegated authority.

QUESTIONS

Do you support setting out the functions and responsibilities of the board of management in the MA Act?

If no, what alternative option(s) would you propose?

What conduct is expected of board members?

The MA Act does not contain any provisions relating to the conduct of MAV's board members.

REFORM OBJECTIVES

The proposed reforms seek to provide a framework for good governance in the carrying out of the board of management's functions.

The proposed reforms seek to:

- establish that the board of management has the ultimate responsibility to ensure good governance of the organisation
- define what conduct is expected of board members
- increase confidence in MAV's governance processes.

PROPOSED REFORMS

12. Provide that the board of management must have processes in place for dealing with conflicts of interest, misuse of position and the prevention of fraudulent behaviour.
13. Provide that board members must at all times in the exercise of the functions of their office act:
 - honestly
 - in good faith in the best interests of MAV
 - with integrity
 - in a financially responsible manner
 - with a reasonable degree of care, diligence and skill
 - in compliance with the MA Act and MAV Rules.

QUESTIONS

Do you support the addition of conduct provisions for the board of management?

If no, what alternative option(s) would you propose?

Who has oversight over executive and CEO remuneration?

The MA Act does not contain any provisions relating to the CEO of MAV.

Under the MAV Rules, the CEO is appointed by the board of management and is responsible for the day to day management and administration of MAV. The board of management annually sets performance objectives for the CEO and regularly monitors the performance of the CEO.

REFORM OBJECTIVES

The proposed reforms seek to provide transparency and certainty for CEO employment consistent with the reforms to council CEO remuneration and contract management set out in the Local Government Act Review Directions Paper.

PROPOSED REFORM

14. Provide that the board of management may appoint a CEO for the day to day management and administration of MAV.
15. Provide that MAV must have in place a CEO remuneration policy that broadly aligns with the Victorian Public Sector Commission's *Policy on Executive Remuneration for Public Entities in the Broader Public Sector*.

QUESTIONS

Do you support the requirement for a remuneration policy?

If no, what alternative option(s) would you propose?

Reporting and Accountability

How will MAV manage and report on its finances?

Section 10CD of the MA Act requires MAV to keep insurance accounts and submit an audited financial report annually to the Minister for Local Government. In turn, the Minister must table the report in both houses of Parliament.

Section 11 of the MA Act requires MAV to keep accounts of all money received and expended and ensure the separation of accounts for MAV's insurance Fidelity Guarantee Fund and MAV's accident insurance. It also requires the independent audit of those accounts.

In practice MAV combines its annual reports to cover all of its activities and submits the entire report to the Minister for tabling. Although not currently required, MAV's annual reports are prepared in accordance with Australian Accounting Standards.

MAV also reports on compliance with Australian financial services licence requirements as a business providing financial services.

REFORM OBJECTIVES

The Auditor-General's report raised concerns that the types of financial management provisions that normally apply to demonstrate the accountability of public bodies, do not apply to MAV.

The proposed reforms seek to demonstrate MAV's financial management by providing an overall financial reporting framework. The reforms seek to do this by introducing principles of sound financial management (similar to those set out in the *Financial Management Act 1994* and the *Local Government Act 1989*) and requirements to keep proper accounts and records and prepare and have audited financial statements.

The obligations to report seek to ensure that MAV is transparent to its representatives, the community and the Minister.

PROPOSED REFORM

16. Insert a provision that provides that MAV must comply with the following principles of sound financial management:
- manage financial risks prudently, having regard to economic circumstances
 - undertake responsible spending and investment for the benefit of member councils

- provide services which are accessible and responsive to local government needs
- ensure full, accurate and timely disclosure of financial information.

17. Provide that MAV must keep proper accounts and records of MAV's transactions and affairs in order to sufficiently explain the financial operations and financial position of MAV.
18. Provide that, within four months after the end of each financial year, MAV must prepare and have independently audited financial statements in accordance with the Australian Accounting Standards. The financial statements must be included in the annual report for the relevant financial year and contain such information as is necessary to give a true and fair view of the financial transactions and state of affairs of the insurance scheme.

QUESTIONS

Do you support the principles of sound financial management?

If no, what alternative option(s) would you propose?

What strategic planning and reporting documents will be required?

Each year MAV develops a strategic plan in consultation with the appointed representatives through a series of strategy sessions. The monitoring of the strategic plan activities occurs on a quarterly basis.

REFORM OBJECTIVES

The proposed reform seeks to achieve greater accountability to the appointed representatives in line with the responsibility of the representatives to determine the strategic direction for MAV.

PROPOSED REFORM

19. Insert a provision that provides that the board of management must develop a strategic plan for the implementation of the strategic direction set by the State Council.
20. Provide that MAV must develop an annual report setting out MAV's performance against the objectives set out in the strategic plan.

21. Provide that, within four months after the end of each financial year, MAV must submit the annual report to the annual general meeting of MAV and lodge with the Minister a copy of the annual report to be tabled in both houses of Parliament.

QUESTIONS

Do you support increased accountability to the member councils and the Minister as set out in the proposed reforms?

If no, what alternative option(s) would you propose?

How will procurement be carried out?

MAV Procurement provides councils access to bulk procurement contracts for goods and services.

In 2015 MAV adopted a procurement policy which contains provisions relating to contracts and procurement activities carried out on behalf of Victorian councils by MAV Procurement.

REFORM OBJECTIVES

The *Local Government Act 1989* requires councils to have a procurement policy that sets out the principles, processes and procedures that will apply to all purchases of goods, services and works by councils. The reforms seek to mandate this requirement to strengthen MAV's procurement practices and increase confidence that the costs of the goods and services councils are procuring from MAV are commercially competitive.

The proposed reforms also seek to assist councils in determining whether MAV Procurement contracts meet the council's specifications and in assessing shared service options.

PROPOSED REFORMS

22. Insert a provision to require MAV to adopt a procurement policy detailing the principles, processes and procedures that will apply to all purchases of goods and services by MAV.
23. This procurement policy would need to specify:
- the circumstances in which MAV will invite tenders or expressions of interest from any person interested in undertaking the contract

- the form and manner in which MAV will undertake tenders or expressions of interest
- a process to regularly review contractual arrangements to ensure they are achieving value for money
- a process to manage conflicts of interest.

24. Insert a provision to provide that when MAV is carrying out procurement activities on behalf of councils, MAV must provide information to councils on the specifications of the tender and how the tender process was undertaken, and seek to facilitate share service arrangements.

QUESTIONS

Do you support the requirement for MAV to adopt a procurement policy?

If no, what alternative option(s) would you propose?

How will MAV's risks be managed?

In 2004, MAV established an audit committee responsible for monitoring financial and risk controls, internal and external audit activities and organisational performance, and for advising the board of management on its governance framework. The audit committee is currently comprised of three independent members and two board members.

REFORM OBJECTIVES

The *Local Government Act 1989* requires councils to establish an audit committee to provide advice on financial operations and compliance. The *Local Government Act Review Directions Paper* indicates that the role of the audit committee will be further strengthened and expanded under proposed new legislation.

The proposed reform seeks to mandate and strengthen the role of MAV's existing audit committee in line with the proposed reforms to the *Local Government Act* and the Australian Prudential Regulation Authority's (APRA) prudential standard CPS 510 which requires APRA regulated bodies to have an audit committee to review the effectiveness of financial reporting and risk management frameworks.

PROPOSED REFORM

25. Provide that MAV establish an independently chaired internal audit and risk committee to review the effectiveness of MAV's financial reporting and risk management frameworks.

QUESTIONS

Do you support the requirement to establish an audit and risk committee as detailed in the proposed reform?

If no, what alternative option(s) would you propose?

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Insurance

How will MAV's mutual liability insurance scheme operate?

Section 10CB of the MA Act states MAV must establish a mutual liability insurance scheme to provide public liability insurance and professional indemnity insurance.

This requirement was introduced in 1993 as part of a national approach to public liability insurance in response to the collapse of Mercantile Mutual and the broader market failure which led to excessive premiums for councils.

MAV operates a Liability Mutual Insurance (LMI) through a discretionary mutual trust fund (DMF) operated by Jardine Lloyd Thompson. It provides public and product liability and professional indemnity insurance to councils and associated bodies in Victoria and Tasmania. MAV holds an Australian Financial Services Licence.

Council participation in the LMI scheme is discretionary, however the LMI scheme is approved under section 76A(2) of *Local Government Act 1989* which enables councils to directly engage MAV for insurance cover without first going to tender.

Section 10CD of the MA Act requires MAV to keep separate accounts for their mutual liability insurance and provide an audited financial report to the Minister for tabling in Parliament.

REFORM OBJECTIVES

The proposed reforms seek to ensure that councils continue to have access to mutual liability insurance and that there is a regular review mechanism built into the MA Act.

PROPOSED REFORM

26. Retain the requirement for MAV to provide mutual liability insurance for the benefit of Victorian councils and any other sector if expansion of the fund is in the interest of the participating Victorian member councils.
27. Provide that the Minister must ensure a review of the insurance provisions in the MA Act is completed every five years to determine whether the provisions remain appropriate.

QUESTIONS

Do you support the inclusion of a regular review mechanism to assess whether the provisions relating to MAV's insurance

functions remain appropriate?

If no, what alternative option(s) would you propose?

How will MAV's insurance activities be prudentially managed?

The MA Act provides MAV with the power to provide a range of insurance services including municipal officers' fidelity guarantee, accident insurance and mutual liability insurance. MAV is not regulated by APRA and its insurance services are operated in accordance with the MA Act.

Municipal Officers Fidelity Guarantee Fund

Section 4 of the MA Act provides that MAV may establish a Municipal Officers Fidelity Guarantee Fund to insure against loss by reason or in consequence of the criminal dishonesty of staff.

MAV has advised that this power is not relied on to provide fidelity insurance and that these provisions are redundant in their current form.

Accident insurance

Section 10B of the MA Act allows MAV to issue an accident insurance policy to:

- a councillor
- a member of an authority under the Water Act
- a member of the Melbourne and Metropolitan Board of Works.

The insurance scheme offers protection against accidents arising in the course of performing their functions in that role.

MAV does not currently provide this insurance service and this provision is redundant.

Insurance brokerage

Section 10C of the MA Act allows MAV to do anything that a financial services licensee may do, including arranging insurance contracts and receiving commissions for such arrangements. This enables MAV to source insurance like an insurance broker.

This provision has been used to establish a number of insurance schemes including, the Commercial Crime Fund, community group insurance and local government employee health insurance.

REFORM OBJECTIVES

MAV carries out significant insurance operations with substantial assets and liabilities and generates substantial premiums annually to fund the liabilities. Claims against the fund are paid out over many years into the future. It is therefore critical that MAV Insurance is prudentially managed to:

- ensure the assets held are sufficient to fund the liabilities
- safeguard the interests of policy holders and claimants.

The reform proposals seek to introduce a regulatory framework comparable to the oversight of APRA-regulated bodies and other Victorian public sector insurance agencies including:

- WorkSafe
- Transport Accident Commission
- Victorian Managed Insurance Authority.

These insurance agencies are regulated through a comprehensive prudential supervision framework that includes legislation, policy and guidelines designed to ensure appropriate financial management and risk management practices and consistent financial reporting.

The proposed reforms enable the Minister to prudentially supervise MAV's insurance activities and undertake further investigations and enquiries as the Minister considers appropriate. This will provide the Minister with the power to determine prudential standards that must be complied with and request information.

The proposed reforms also seek to consolidate MAV's insurance activities to meet the same accounting and risk management standards for each of the different insurance schemes.

The proposed reforms are not intended to diminish or reduce the responsibility of the MAV board of management in ensuring that MAV's insurance funds and the risks involved are being managed appropriately.

PROPOSED REFORM

28. Remove the provisions relating to the fidelity guarantee fund and accident insurance.
29. Provide that, in addition to the mandatory provision of mutual liability insurance, MAV may, subject to Ministerial approval, arrange insurance and receive commissions.

30. Provide that in the performance of all of MAV's insurance functions (including mutual liability insurance), MAV be subject to the general direction of the Minister.
31. Provide that MAV must include in its annual report any directions issued by the Minister and MAV's compliance with each direction.
32. Provide a requirement for MAV to appoint an independent actuary to evaluate the risk and uncertainty associated with MAV's insurance liabilities and provide advice on premium rates, scheme changes and the financial sustainability of each scheme.
33. Provide that, should an insurance scheme be discontinued, the funds after payment of all liabilities and expenses are to be distributed to the contributing members, pro rata based on the sums contributed.

QUESTIONS

Do you support the inclusion of a prudential supervision framework for MAV's insurance activities?

If no, what alternative option(s) would you propose?

How to get involved

To provide your response to the questions set out in this consultation paper, send your feedback to:

Post Municipal Association Act Review
C/o Local Government Victoria
PO Box 500
MELBOURNE VIC 3002

Email local.government@delwp.vic.gov.au

For any additional information please contact Hannah Wood by phone on 03 902 75811 or by email at hannah.wood@delwp.vic.gov.au.

Feedback on the consultation paper closes on 23 June 2017 at 5pm.

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14. URGENT BUSINESS**14.1 URGENT BUSINESS**

Nil.

14.2 CALL UP ITEMS**SHOWER HEAD REPLACEMENT PROGRAM****COUNCIL RESOLUTION****MOVED: CR. GILL****SECONDED: CR. KEOGH**

That a report be prepared and presented to Council at the September 2017 Ordinary Meeting of Council on the following sustainability initiatives:

1. The shower head replacement program:
 - a. how many shower heads were supplied/exchanged;
 - b. how the program was funded; and
 - c. how much water is estimated to have been saved.
2. The opportunity to introduce a program to introduce smart electricity monitors/meters for Knox residents:
 - a. what smart electricity monitors/meters are available;
 - b. what State funding programs/subsidies are available;
 - c. what partnership opportunities are available; and
 - d. what an anticipated cost would be to initiate a program with a first phase focusing on Knox pensioners.

CARRIED

15. QUESTIONS WITHOUT NOTICE

Councillor Mortimore discussed the annual The Basin Music Festival that will be held on the 22 July. Councillor Mortimore asked how many of his fellow Councillors would be attending.

Councillor Seymour noted that former Councillor Orpen received a Medal of the Order of Australia for her service to local government. Councillor Seymour asked whether Council would be sending a letter congratulating her for receiving such a fantastic award.

The Mayor, Councillor Darren Pearce, stated he would be happy to send a letter to former Councillor Orpen and all other award recipients within the municipality.

MEETING CLOSED AT 8.59PM

Minutes of Meeting confirmed at the
Ordinary Meeting of Council
held on
Monday 24 July 2017

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Chairperson